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No. 30] NEW DELHI, JULY 23—JULY 29, 2006, SATURDAY/SRAVANA 1—SRAVANA 7, 1928

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 13 जुलाई, 2006

का.आ. 2846.—भारत सरकार, गृह मंत्रालय "सिगरेट एवं अन्य तम्बाकू उत्पाद (विज्ञापन का निषेध तथा व्यापार एवं वाणिज्य, उत्पादन, आपूर्ति एवं वितरण का विनियमन) अधिनियम, 2003" की धारा 25 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नीचे दी गई तालिका के कालम 3 में विनिर्दिष्ट अधिकारियों को एतद्द्वारा प्राधिकृत करती है जो उक्त अधिनियम की धारा 4 के अंतर्गत कार्यवाई करने के लिए सक्षम होंगे :

क्र. सं.	कार्यालय	प्राधिकृत व्यक्ति
1	2	3
1.	गृह मंत्रालय (जम्मू और कश्मीर कार्य विभाग, सीमा प्रबंधन विभाग तथा न्याय विभाग सहित)	निदेशक अथवा उप-सचिव (प्रशासन), गृह मंत्रालय
2.	गृह मंत्रालय के अधीन संबद्ध/अधीनस्थ कार्यालय	कार्यालयों के अध्यक्ष

1	2	3
3.	गृह मंत्रालय के नियंत्रणाधीन स्वायत्त निकाय/सांविधिक निकाय/परिषद्	प्रशासनिक अधिकारी

यह अधिसूचना तत्काल प्रभाव से लागू होगी।

[फा. सं. ए-43020/31/2006-प्रशा. I]

जं. बी. शर्मा, अवर सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 13th July, 2006

S.O. 2846.—In exercise of the powers conferred by Section 25 of "The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003", the Central Government in the Ministry of Home Affairs hereby authorize the officers indicated in Column 3 of the Table given below who shall be competent to act under Section 4 of the said Act :—

S. No.	Office	Authorised Person
1	2	3
1.	Ministry of Home Affairs (including Departments of J&K Affairs, Border Management and Official Language), and Department of Justice	Director or Deputy Secretary (Administration) of MHA.
2.	Attached/Subordinate Offices under MHA	Head of Officers
3.	Autonomous Bodies/ Statutory Bodies/Councils functioning under Ministry of Home Affairs	Administrative Officer

This notification shall come into force with immediate effect.

[F.No. A-43020/31/2006-Ad. I]

J. B. SHARMA, Under Secy.

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 19 जुलाई, 2006

का.आ. 2847.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 111 पीसीआर 2006 दिनांक 30 मई, 2006 द्वारा प्राप्त सहमति से (1) श्री आर. एम. शेखर, प्रबंध निदेशक, मैसर्स इंडो मार्क्स प्राइवेट लिमिटेड, बंगलौर, (2) श्रीमती मणि एम. शेखर, निदेशक, मैसर्स इंडो मार्क्स प्राइवेट लिमिटेड, बंगलौर, (3) श्री आर.एम. वेंकटरमन, निदेशक, मैसर्स इंडो मार्क्स प्राइवेट लिमिटेड, बंगलौर और (4) मैसर्स इंडो मार्क्स प्राइवेट लिमिटेड, बंगलौर तथा अज्ञात अन्य एवं किन्हीं अन्य लोकसेवकों अथवा व्यक्तियों के विरुद्ध भारतीय स्टेट बैंक, ओवरसीज शाखा, बंगलौर से कपटपूर्वक साख सुविधाएं प्रदान करने और बैंक को 730 लाख रुपए की अनुचित हानि पहुंचाने के कारण भारतीय दंड संहिता, 1860, (1860 का अधिनियम सं. 45) की धारा 120-बी, सपठित भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 420, 467, 468 और 471 के अधीन दंडनीय अपराधों और उक्त अपराधों से संबंधित अथवा संसक्त अपराधों तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/34/2006-ए.वी.डी. II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel and Training)

New Delhi, the 19th July, 2006

5.0. 2847.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Karnataka vide Notification No. HD 111 PCR 2006 dated 30th May 2006, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences punishable under section 120-B of the Indian Penal Code, 1860 (Act No. 45 of 1860) read with Sections 420, 467, 468 and 471 of the Indian Penal Code, 1860 (Act No. 45 of 1860) against (1) Sh. R. M. Shekar, Managing Director, M/s Indo Marks Private Limited, Bangalore. (2) Smt. Mani M Shekar, Director M/s Indo Marks Private Limited, Bangalore, (3) Sh. R.M. Venkata Raman, Director M/s Indo Marks Private Limited, Bangalore and (4) M/s Indo Marks Private Limited, Bangalore and unknown others, for fraudulently obtaining credit facilities from State Bank of India, Overseas Branch, Bangalore and causing wrongful loss of Rs. 730 lakhs to the bank and any other public servants or persons in relation to, or in connection with the said offences, and any other offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/34/2006-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क मुख्य आयुक्त का कार्यालय

कोयम्बतूर, 5 जून, 2006

सं. 02/2006 सीमा शुल्क (एन.टी.)

का.आ. 2848.—यथा संशोधित अधिसूचना सं-14/2002 सी. शु. (एन.टी.) दिनांक 7-3-2002 के साथ पठित सीमा शुल्क अधिनियम, 1962 की धारा 152 खण्ड (ए) के अंतर्गत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली के दिनांक 1 जुलाई, 1994 के अधिसूचना संख्या 33/94-सीमा शुल्क (एन.टी.) के अधीन अधोहस्ताक्षरी को प्रत्यायोजित शक्तियों का प्रयोग करते हुए मैं, जे.एम.के. शेखर, मुख्य आयुक्त, सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क कोयम्बतूर एतद्वारा तमिलनाडु राज्य, इरोड, जिला, गोविन्देट्टिपालयम तालुक के कुल्लमपालयम ग्राम को सीमा शुल्क अधिनियम, 1962 की धारा 9 के अंतर्गत निजी भाण्डागार को लाइसेंस देने के उद्देश्य से भाण्डागार स्टेशन के रूप में घोषित करता हूँ।

[फा. सं. VIII/40/1/2006-सी.शु.(मु.आ.का.)]

जे. एम. के. शेखर, मुख्य आयुक्त

MINISTRY OF FINANCE

(Department of Revenue)

**OFFICE OF THE CHIEF COMMISSIONER OF
CUSTOMS & CENTRAL EXCISE**

Coimbatore, the 5th June, 2006

No. 2/2006-CUSTOMS (NT)

S.O. 2848. In exercise of the powers delegated to the undersigned *vide* Notification No. 33/94-Customs (NT) dated 1st July, 1994 by the Government of India, Ministry of Finance, Department of Revenue, New Delhi under Clause (a) of Section 152 of the Customs Act, 1962, read with Notification No. 14/2002 Cus(NT) dated 7-3-2002, as amended, I, J.M.K. Sekhar, Chief Commissioner of Customs and Central Excise, Coimbatore, hereby declare Kullampalyam Village in Gobichettipalayam Taluk, District of Erode, State of Tamil Nadu, to be a Warehousing Station under Section-9 of the Customs Act, 1962 for the purpose of licensing of Private Bonded Warehouse.

[F. C. No. VIII/40/1/2006-Cus(CCO)]

J. M. K. SEKHAR, Chief Commissioner

केन्द्रीय उत्पाद शुल्क आयुक्तालय, जयपुर-द्वितीय

जयपुर, 3 जुलाई, 2006

अधिसूचना सं. 03-सीमा शुल्क (एन टी) 2006

का.आ. 2849.-सीमा शुल्क अधिनियम, 1962 की धारा 152 के खण्ड (ए) के तहत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली की अधिसूचना संख्या 33/94-सीमा शुल्क (एन टी) दिनांक प्रथम जुलाई, 1994 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं, बी. एस. वी. मूर्ति, आयुक्त, केन्द्रीय उत्पाद शुल्क, जयपुर-द्वितीय एतद्वारा, शतप्रतिशत निर्यात संवर्द्धन ईकाई स्थापित करने के उद्देश्य से सीमा शुल्क अधिनियम, 1962 की धारा 9 के अन्तर्गत राजस्थान राज्य के जालौर जिले में स्थित ग्राम जालौर, ए खसरा सं. 262 को भण्डारण स्टेशन (वेयर हाउसिंग स्टेशन) घोषित करता हूँ।

[फा. सं. पंचम् (ईओयू) 30/जे.पी. II/08/05]

बी. एस. वी. मूर्ति, आयुक्त

**OFFICE OF THE COMMISSIONER CENTRAL EXCISE
JAIPUR-II**

Jaipur, the 3rd July, 2006

NOTIFICATION No. 03-Cus (NT) 2006

S.O. 2849.—In exercise of the powers conferred by Notification No. 33/94-Customs (NT) dated the 1st July, 1994, of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, issued under clause

(a) of Section 152 of Customs Act 1962, I, B. S. V. Murthy, Commissioner of Central Excise Jaipur-II, hereby declare place at Khasra No. 262 Village Jalore-A, Jalore in the state of Rajasthan to be warehousing station under Section 9 of the Customs Act 1962 for the purpose of setting up 100%EOU.

[F.No. V(EOU) 30/JP-II/08/2005]

B. S. V. MURTHY, Commissioner

नई दिल्ली, 10 जुलाई, 2006

आयकर

का.आ. 2850.-आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि "विवेकानन्द रॉक मेमोरियल तथा विवेकानन्द केन्द्र, सं. 5 सिंगराचारी स्ट्रीट ट्रिप्लिकेन, चैन्नई" (इसके बाद "संस्था" कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी;

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पांच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित इन्वेंट्रिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा इसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;

- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 171/2006/फा.सं. 197/51/2006-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 10th July, 2006

(INCOME-TAX)

S.O. 2850.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Vivekananda Rock Memorial and Vivekananda Kendra, No. 5 Singarachari Street Triplicane, Chennai" (hereinafter referred to as the 'Institution') shall not be included in the total income of such person as assessable for the assessment years 2005-2006 to 2007-2008, subject to the following conditions namely:—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;

- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 171/2006/F. No. 197/51/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 24 जुलाई, 2006

आयकर

का.आ. 2851.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि "एसोसिएशन ऑफ ट्राइबल वेलफेयर डेवलपमेंट, नाहरबाड़ी, दीमापुर, नागालैण्ड" (इसके बाद "संस्था" कहा गया है) के नाम पर प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधधीन कर निर्धारण वर्ष 2006-2007 से 2008-2009 तक के लिए ऐसे व्यक्ति की कुल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी;

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पांच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;

- (v) संस्था के विघटन की स्थिति में इसकी अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी प्राप्ति अथवा आय पर। संस्था की आय की कराधेयता अथवा अन्यथा आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 190/2006/फा. सं. 197/65/2006-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 24th July, 2006

(INCOME-TAX)

S.O. 2851.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Association of Tribals Welfare Development, Naharbari, Dimapur, Nagaland" (hereinafter referred to as the 'Institution') shall not be included in the total income of such person as assessable for the assessment years 2006-2007 to 2008-2009, subject to the following conditions namely:—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 190/2006 F. No. 197/65/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 25 जुलाई, 2006

(आयकर)

का.आ. 2852.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि "गुजरात पोल्याशन कंट्रोल बोर्ड पर्यावरण भवन, सेक्शन-10ए, गांधी नगर" (इसके बाद "संस्था" कहा गया है) के नाम पर प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधधीन कर निर्धारण वर्ष 1999-2000 से 2001-2002 तक के लिए ऐसे व्यक्ति की कुल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी;

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पांच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वेलर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;
- (v) संस्था के विघटन की स्थिति में इसकी अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी प्राप्ति अथवा आय पर। संस्था की आय की कराधेयता अथवा अन्यथा आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 192/2006 फा. सं. 197/38/2006-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 25th July, 2006

(INCOME-TAX)

S.O. 2852.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Gujarat Pollution Control Board, Paryavaran Bhavan, Section 10-A, Gandhinagar" (hereinafter referred to as the 'Institution') shall not be included in the total income of such person as assessable for the assessment years 1999-2000 to 2001-2002, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 192/2006 F. No. 197/38/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 25 जुलाई, 2006

(आयकर)

का.आ. 2853.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि "गुजरात पोल्यूशन कंट्रोल बोर्ड पर्यावरण भवन, सेक्शन-10ए, गांधी नगर" (इसके बाद "संस्था" कहा गया है) के नाम पर प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधधीन कर निर्धारण वर्ष 2002-2003 से 2004-2005 तक के लिए ऐसे व्यक्ति की कुल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी;

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी प्रदत्त प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पन्द्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पांच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;
- (v) संस्था के विघटन की स्थिति में इसकी अतिरिक्त राशियां और परिसम्पत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी प्राप्ति अथवा आय पर। संस्था की आय की कराधेयता अथवा, अन्यथा, आयकर, अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 193/2006 फा. सं. 197/39/2006-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 25th July, 2006

INCOME-TAX

S.O. 2853.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Gujarat Pollution Control Board, Paryavaran Bhavan, Section 10-A, Gandhinagar" (hereinafter referred to as the 'Institution') shall not be included in the total income of such person as assessable for the assessment years 2002-2003 to 2004-2005, subject to the following conditions namely:—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 193/2006 F. No. 197/39/2006-ITA-II]

DEEPAK GARG, Under Secy.

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

शुद्धि पत्र

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2854.—दिनांक 30 मार्च, 2006 की वित्त मंत्रालय, राजस्व विभाग, भारत सरकार की अधिसूचना सं. 44/2006 (फा. सं. 203/34/2004 आ.क.नि. II) के आंशिक संशोधन में वह अवधि जिसके लिए आयकर अधिनियम 1961 की धारा 35 (1)(iii) के अन्तर्गत अनुमोदन प्रदान किया गया है उसे दिनांक 1-4-2004 से 31-3-2007 की बजाए दिनांक 1-4-2003 से 31-3-2006 पढ़ा जाए।

[अधिसूचना सं. 174/2006/फा. सं. 203/34/2004-आ.क.नि.-II]

रेणू जौहरी, निदेशक, (आ.क.नि.-II)

(CENTRAL BOARD OF DIRECT TAXES)

CORRIGENDUM

New Delhi, the 11th July, 2006

S.O. 2854.—In partial modification of Ministry of Finance, Department of Revenue, Government of India, Notification No. 44/2006 dated 30th March, 2006 (F. No. 203/34/2004/ITA-II) the period for which approval has been granted u/s 35(1)(iii) of the Income Tax Act, 1961, should be read as 1-4-2003 to 31-3-2006 instead of 1-4-2004 to 31-3-2007.

[Notification No. 174/2006 (F. No. 203/34/2004-ITA-II)]

RENU JAUHRI, Director (ITA-II)

परमाणु ऊर्जा विभाग

मुंबई, 7 जुलाई, 2006

का.आ. 2855.—केन्द्रीय सरकार परमाणु ऊर्जा विभाग की तारीख 26-8-1983 की अधिसूचना संख्या 6/5/82-हिन्दी जिसके अंतर्गत राजस्थान परमाणु विद्युत परियोजना, अणुशक्ति, कोटा को राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के तहत अधिसूचित किया गया था, का अधिक्रमण करते हुए राजस्थान परमाणु बिजलीघर 1-6 को,

जिसके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अंतर्गत अधिसूचित करती है।

[सं. 6/7/94-हिन्दी]

क्री. पी. राजा, अपर सचिव (आई एंड एम)

DEPARTMENT OF ATOMIC ENERGY

Mumbai, the 7th July, 2006

S.O. 2855.—The Central Government in supersession of the Department of Atomic Energy's Notification No. 6/5/82-Hindi dated 26-8-1983 vide which the Rajasthan Atomic Power Project, Anushakti, Kota was notified under sub-rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, notifies the Rajasthan Atomic Power Station 1-6 under sub-rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976 where more than 80% staff have acquired the working knowledge of Hindi.

[No. 6/7/94-Hindi]

V. P. RAJA, Addl. Secy. (I & M)

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2856.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में वाणिज्य विभाग के अंतर्गत आने वाले ईसीजीसी के निम्नलिखित शाखा कार्यालयों को अधिसूचित करती है, जिनके 80 प्रतिशत से अधिक कर्मचारीवृद्ध ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है :—

1. भारतीय निर्यात ऋण गारंटी निगम लि.
पश्चिमी क्षेत्रीय कार्यालय
द मेट्रोपॉलिटन, 7वीं मंजिल,
प्लॉट नं. सी-26/27, "ई" ब्लॉक,
बांद्रा-कुर्ला कॉम्प्लेक्स,
बांद्रा (पूर्व), मुंबई-400051
2. भारतीय निर्यात ऋण गारंटी निगम लि.,
उत्तरी क्षेत्रीय कार्यालय,
एनबीसीसी प्लेस, साउथ टॉवर,
4थी मंजिल, प्रगति विहार,
भीष्म पितामह मार्ग,
नई दिल्ली-110003
3. भारतीय निर्यात ऋण गारंटी निगम लि.
पूर्वी क्षेत्रीय कार्यालय,
ए.सी. मार्केट कॉम्प्लेक्स,
9वीं मंजिल, 1 शेक्सपियर सरणी,
कोलकाता-700071
4. भारतीय निर्यात ऋण गारंटी निगम लि.
दक्षिणी क्षेत्रीय कार्यालय-I,
स्पेन्सर टावर्स, 7वीं मंजिल,
770-ए, अन्ना सालै, चेन्नै-600002
5. भारतीय निर्यात ऋण गारंटी निगम लि.,
दक्षिणी क्षेत्रीय कार्यालय-II,
रहेजा टावर्स, 11वीं मंजिल,
वेस्ट विंग, एमजी रोड,
बंगलौर-560001
6. भारतीय निर्यात ऋण गारंटी निगम लि.,
नई दिल्ली (पश्चिम) शाखा,
एनबीसीसी प्लेस, साउथ टॉवर,
4वीं मंजिल, प्रगति विहार,
भीष्म पितामह मार्ग,
नई दिल्ली-110003
7. भारतीय निर्यात ऋण गारंटी निगम लि.,
अंधेरी शाखा, 401, टाउन सेंटर,
मिन्नल एंड इंडस्ट्रियल इस्टेट के आगे,
मरोल, अंधेरी, कुर्ला रोड,
अंधेरी (पूर्व) मुंबई-400059
8. भारतीय निर्यात ऋण गारंटी निगम लि.,
सूरत शाखा कार्यालय,
503, 21 सेंचुरी बिजनेस सेंटर,
वर्ल्ड ट्रेड सेन्टर के बगल में,
रिंग रोड, सूरत, गुजरात-395002
9. भारतीय निर्यात ऋण गारंटी निगम लि.,
जालंधर शाखा कार्यालय,
36, जीटी रोड गोविंद निवास,
12वीं मंजिल, जालंधर सिटी,
जालंधर-144001
10. भारतीय निर्यात ऋण गारंटी निगम लि.,
गुड़गांव शाखा कार्यालय,
तीसरी मंजिल, "उद्योग मीनार",
वाणिज्य निकुंज, उद्योग विहार, फेज 5,
गुड़गांव, हरियाणा-122016

11. भारतीय निर्यात ऋण निगम लि.,
गुंदूर शाखा कार्यालय,
कृष्णा प्लाजा, 26-21-22 नागराज पालेम,
जीटी रोड, गुंदूर-522004
12. भारतीय निर्यात ऋण गारंटी निगम लि.,
पेरियामेट शाखा,
लेदर सेन्टर, 43/53, राजा मुथैया रोड,
पेरियामेट, चेन्नै-600003
13. भारतीय निर्यात ऋण गारंटी निगम लि.,
बांद्रा (बैंक कारोबार), शाखा,
द मेट्रोपॉलिटन, 7वीं मंजिल,
प्लॉट नं. सी-26/27, "ई" ब्लॉक,
बांद्रा-कुर्ला कॉम्प्लेक्स,
बांद्रा (पूर्व) मुंबई-400051
14. भारतीय निर्यात ऋण गारंटी निगम लि.,
कोयम्बतूर शाखा,
चेरन प्लाजा, दूसरी मंजिल,
1619, त्रिची रोड,
कोयम्बतूर-641018

[सं. ई-11013/1/2004-हिन्दी]

एल.पी. सेनी, निदेशक (राजभाषा)

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 14th July, 2006

S.O. 2856.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the union) Rules, 1976 the Central Govt., hereby notifies the following branch offices of ECGC Ltd., Under Department of Commerce, whereof more than 80% staff have acquired a working knowledge of Hindi :—

1. Export Credit Guarantee Corporation of India Ltd.,
Western Regional Office,
The Metropolitan, 7th Floor,
Plot No. C 26/27,
E-Block, Bandra-Kurla Complex,
Bandra (E), Mumbai-400051
2. Export Credit Guarantee Corporation of India Ltd.,
Northern Regional Office,
NBCC Place, South Tower,
4th Floor, Pragati Vihar,
Bhishma Pitamah Marg,
New Delhi-110003

3. Export Credit Guarantee Corporation of India Ltd.,
Eastern Regional Office,
AC Market Complex, 9th Floor,
1, Shakespeare Sarani,
Kolkata-700071
4. Export Credit Guarantee Corporation of India Ltd.,
Southern Region-I,
Spencer Towers, 7th Floor,
770-A, Anna Salai,
Chennai-600002
5. Export Credit Guarantee Corporation of India Ltd.
Southern Region-II,
Raheja Towers, 11th Floor,
West Wing, 26, M.G. Road,
Bangalore-560001
6. Export Credit Guarantee Corporation of India Ltd.,
New Delhi (West) Branch,
NBCC Place, South Tower,
4th Floor, Pragati Vihar,
Bhishma Pitamah Marg,
New Delhi-110003
7. Export Credit Guarantee Corporation of India Ltd.,
Andheri Branch,
401, Town Centre,
Next to Mittal Indl. Estate,
Marol, Andheri-Kurla Road,
Andheri (East), Mumbai-400059
8. Export Credit Guarantee Corporation of India Ltd.,
Surat Branch, 503, 21st Century,
Biz. Centre, Next to World Trade Centre,
Ring Road, Surat-395002
9. Export Credit Guarantee Corporation of India Ltd.,
Jalandhar Branch, 36, G.T. Road,
Gobind Niwas, 2nd Floor,
Jalandhar City,
Jalandhar-144001
10. Export Credit Guarantee Corporation of India Ltd.,
Gurgaon Branch,
Third Floor, 'UdyogMinar',
Vanijya Nikunj, Udyog Vihar, Phase 5
Gurgaon-122016
11. Export Credit Guarantee Corporation of India Ltd.,
Guntur Branch, Krishna Plaza,
26-21-22, Nagaram Palem,
G.T. Road, Guntur-522004
12. Export Credit Guarantee Corporation of India Ltd.,
Periamet Branch, Leather Centre,

43/53, Raja Muthian Road,
Periamet, Chennai-600003

13. Export Credit Guarantee Corporation of India
Ltd., Bandra (Bank Business) Branch,

The Metropolitan, 7th Floor,
Plot No. C 26/27, "E" Block,
Bandra-Kurla Complex,
Bandra (E), Mumbai-400051

14. Export Credit Guarantee Corporation of India
Ltd., Coimbatore Branch,
Cheran Plaza, 2nd floor,
1619, Trichy Road,
Coimbatore-641018

[No. E-11013/1/2004-Hindi]

L.P. SAINI, Director (O.L.)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2857.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में वाणिज्य विभाग के अंतर्गत आने वाले एमएमटीसी के निम्नलिखित शाखा कार्यालय को अधिसूचित करती है, जिनके 80 प्रतिशत से अधिक कर्मचारीवृंद ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है :—

एमएमटीसी लि.,
एमएमटीसी भवन, पोर्ट एरिया,
विशाखापत्तनम-530035

[सं. ई-11013/1/2004-हिन्दी]

एल. पी. सैनी, निदेशक (राजभाषा)

New Delhi, the 14th July, 2006

S.O. 2857.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the union) Rules, 1976 the Central Govt., hereby notifies the following regional office of MMTC Ltd. Under Department of Commerce, whereof more than 80% staff have acquired a working knowledge of Hindi :—

MMTC Ltd.,
MMTC Bhawan,
Port Area,
Vishakhapatnam-530035

[No. E-11013/1/2004-Hindi]

L. P. SAINI, Director (O.L.)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 17 जुलाई, 2006

का.आ. 2858.—केन्द्रीय सरकार, मानव अंग प्रतिरोपण अधिनियम, 1994 (1994 का 42) की धारा 9 की उपधारा (4) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की अधिसूचना सं. का. आ. 82(अ) तारीख 4 फरवरी, 1995 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "1. राष्ट्रीय राजधानी क्षेत्र, दिल्ली" शीर्ष के अधीन उप शीर्ष "2. सर गंगा राम अस्पताल, नई दिल्ली-110060" के अन्तर्गत विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

"(1) डा. नलिनी कौल, अध्यक्ष
निदेशक, चिकित्सा,
सर गंगा राम अस्पताल,
नई दिल्ली

(2) डा. पी. एस. गुप्ता, सदस्य
ज्येष्ठ परामर्शी,
आयुर्विज्ञान विभाग,
सर गंगा राम अस्पताल,
नई दिल्ली

(3) डा. ए. डी. सहगल, सदस्य
ज्येष्ठ परामर्शी,
तंत्रिका शल्य चिकित्सा विभाग,
सर गंगा राम अस्पताल,
नई दिल्ली

(4) श्री इंदु वीरा, सदस्य
54, आनंद लोक,
नई दिल्ली

(5) डा. (श्रीमती) बलवन्त कौर मैनी, सदस्य
430, कैलाश टावर-11,
ईष्ट आफ कैलाश,
नई दिल्ली-110065

(6) श्री डी. एम. खनेटा, सदस्य
अपर सचिव,
(स्वास्थ्य और परिवार कल्याण),
9वां तल, दिल्ली सचिवालय,
आई.पी. इस्टेट, नई दिल्ली

(7) डा. वीर सिंह, सदस्य
मुख्य चिकित्सा अधिकारी,
अस्पताल सेल,

स्वास्थ्य सेवा निदेशालय,
जी एम सी टी, एफ 17,
कडकडूमा, शाहदरा,
दिल्ली-110032

[फा. सं. एस-12011/9/05-एमएस]

जय प्रकाश, अवर सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र में का.आ. 82(अ) तारीख 4 फरवरी, 1995 द्वारा प्रकाशित की गई थी और इसमें अंतिम संशोधन अधिसूचना संख्यांक का.आ. 227(अ) तारीख 9 फरवरी, 1998 द्वारा किया गया था।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 17th July, 2006

S.O. 2858.—In exercise of the powers conferred by clause (a) of sub-section (4) of Section 9 of the Transplantation of Human Organs Act, 1994 (42 of 1994), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Health and Family Welfare number S.O. 82(E), dated the 4th February, 1995, namely :—

In the said notification, under the heading “I, National Capital Territory of Delhi”, under sub-heading “2. Sir Ganga Ram Hospital, New Delhi-110060”, for the existing entries, the following entries shall be substituted, namely :—

- | | |
|--|----------|
| (1) Dr. Nalini Kaul,
Director, Medical,
Sir Ganga Ram Hospital,
New Delhi. | Chairman |
| (2) Dr. P.S. Gupta,
Senior Consultant,
Deptt. of Medicine,
Sir Ganga Ram Hospital,
New Delhi. | Member |
| (3) Dr. A.D. Sehgal,
Senior Consultant,
Deptt. of Neurosurgery,
Sir Ganga Ram Hospital,
New Delhi. | Member |
| (4) Shri Indu Vira,
54-Anand Lok,
New Delhi. | Member |
| (5) Dr. (Mrs.) Balwant Kaur Maini,
430, Kailash Tower-II,
East of Kailash, | Member |

New Delhi-110065

- | | |
|--|--------|
| (6) Shri D.M. Khaneta,
Addl. Secy. (Health & FW),
9th Floor, Delhi Secretariat,
IP Estate, New Delhi. | Member |
| (7) Dr. Veer Singh,
Chief Medical Officer,
Hospital Cell,
Dte. of Health Services,
GNCT, F-17, Karkardooma,
Shahdara, Delhi-110032. | Member |

[F. No. S-12011/9/05-MS]

JAI PRAKASH, Under Secy.

Note: The principal notification was published in the Gazette of India *vide* number S.O. 82(E), dated the 4th February, 1995 and the last amendment therein was made by notification number S.O. 227(E), dated the 9th February, 1998.

इस्पात मंत्रालय

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2859.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित, 1987) के नियम-10 के उप नियम (4) के अनुसरण में केन्द्रीय सरकार एतद्वारा इस्पात मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित उपक्रमों के मुख्यालय/इकाई, जिनके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :—

1. फ़ेरो स्क्रेप निगम लिमिटेड, राउरकेला इकाई
2. मेकॉन लिमिटेड, रांची (मुख्यालय)

[सं. ई-11011/6/2001-हिन्दी]

आशुतोष बरनवाल, निदेशक

MINISTRY OF STEEL

New Delhi, the 14th July, 2006

S.O. 2859.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies the following Head Office/Unit of PSUs under the administrative control of Ministry of Steel, where more than 80% staff have acquired working knowledge of Hindi :—

1. Ferro Scrap Nigam Limited, Rourkela Unit
2. Mecon Limited, Ranchi (Head Office)

[No. E-11011/6/2001-Hindi]

ASHUTOSH BARANWAL, Director

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

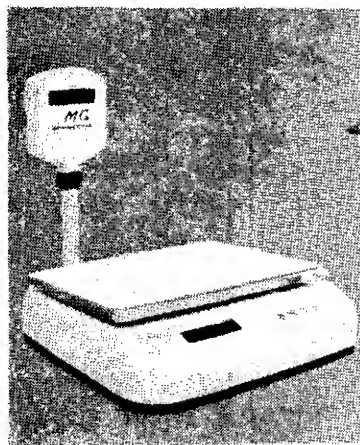
(उपभोक्ता मामले विभाग)

नई दिल्ली, 27 जून, 2006

का. आ. 2860—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एम. जी. इलैक्ट्रनिक्स एण्ड सिस्टम, 65-बी, डी. डी. ए. फ्लैट्स, मानसरोवर पार्क, शाहदरा, दिल्ली, द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम जे टी" शृंखला के स्वतः सूचक अस्वचालित, अंकक तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एम. जी." है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/986 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टैम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(179)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

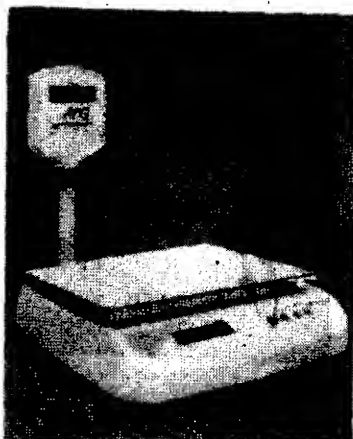
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 27th June, 2006

S.O. 2860.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Table top type) weighing instrument with digital indication of "MGT" series of medium accuracy (Accuracy class-III) and with brand name "MG" (hereinafter referred to as the said model), manufactured by M/s. M. G. Electronics & System, 65-B, DDA Flats, Mansarovar Park, Shahadara, Delhi and which is assigned the approval mark IND/09/2005/986;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

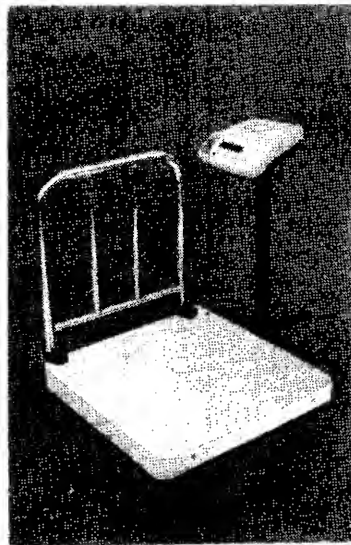
[F. No. WM-21(179)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2861.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एम. जी. इलैक्ट्रॉनिक्स एण्ड सिस्टम्स, 65-बी, डी. डी. ए. फ्लैट्स, मानसरोवर पार्क, शाहदरा, दिल्ली, द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम जी पी" शृंखला के अंकक सूचन सहित अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एम. जी. पी." है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/2005/987 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 2000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

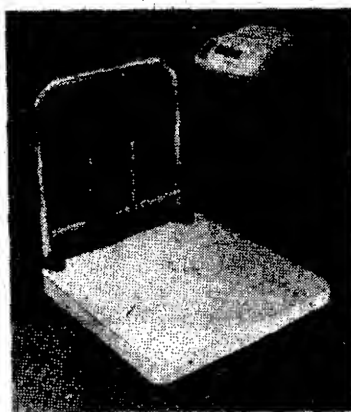
[फा. सं. डब्ल्यू एम-21(179)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2861.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "MGP" series of medium accuracy (Accuracy class-III) and with brand name "MG" (herein after referred to as the said model), manufactured by M/s. M. G. Electronics & System, 65-B, DDA Flats, Mansarovar Park, Shahadara, Delhi and which is assigned the approval mark IND/09/2005/987;



The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 2000 kg. and minimum capacity of 4kg. The verification scale interval (e) is 200 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

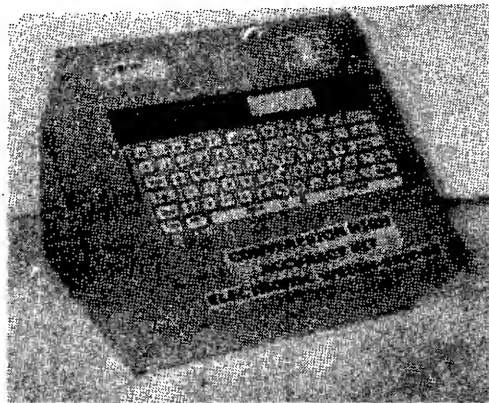
[F. No. WM-21(179)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2862.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डोडिया वेईंग टेक्नोलॉजी, जी.आई.डी.सी., प्लॉट नं. 54, हिम्मतनगर-383 001, सावर कान्टा डिस्ट्रिक्ट, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ऐ.सी.सी.", शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज के लिए कनवर्जन किट) के मॉडल का, जिसके ब्रांड का नाम "ऐरो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/12 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (वे ब्रिज के लिए कनवर्जन किट) तोलन उपकरण है। इसकी अधिकतम क्षमता 25 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

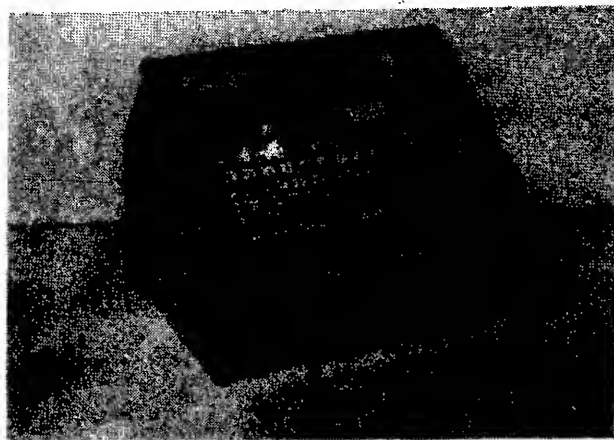
[फा. सं. डब्ल्यू एम-21(78)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2862.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (conversion kit for weighbridge) with digital indication belonging to medium accuracy (Accuracy class-III) of "ACC" series with brand name "ARROW" (herein referred to as the said model), manufactured by M/s. Dodia Weighing Technology, GIDC, Plot No. 54, Himatnagar—383001, Sabarkanta-District, Gujrat and which is assigned the approval mark IND/09/2006/12;



The said model is a strain gauge type load cell based non-automatic weighing instrument (conversion kit for weighbridge) with a maximum capacity of 25 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(78)/2001]

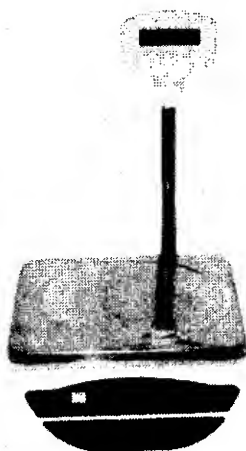
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2863.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्टर्लिंग वेईंग सिस्टम प्राइवेट लिमिटेड, सी-24/एफ मलाड इंडस्ट्रियल को-ऑपरेटिव सोसाइटी, रामचन्द्र लेन एक्सटेंशन कंचपाड़ा, मलाड वेस्ट, मुंबई-400064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-II) वाले "एस टी 15 के" श्रृंखला के अंकक सूचक सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसका ब्रांड का नाम "सिट्रान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/859 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. और न्यूनतम क्षमता 50 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 01 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टॉम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1-50 ग्रा. के "ई" मान के लिए 50 कि.ग्रा. तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 से 50,000 कि. ग्रा. तक के लिए 100 मि.ग्रा. और अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-4} , 2×10^{-4} या 5×10^{-4} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(145)/2002]

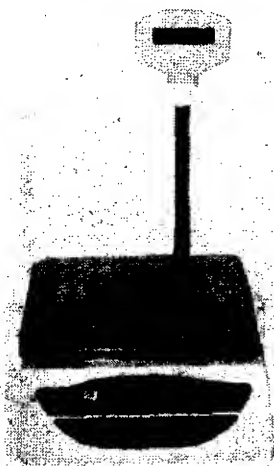
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2863.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "ST-15K" series of high accuracy (Accuracy class-II) with brand name "CITRON" (hereinafter referred to as the said model), manufactured by M/s. Sterling Weighing Systems, Pvt. Ltd., C-24/F, Malad Industrial Co-operative Society, Ramachandra Lane Extn., Kanchpada Malad West, Mumbai-400064 and which is assigned the approval mark IND/09/2005/859;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 15 kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(145)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2864.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्टिलिंग वेईंग सिस्टम प्राइवेट लिमिटेड, सी-24/एफ मलाड इंडस्ट्रियल को-ऑपरेटिव सोसाइटी, रामचन्द्र लेन एक्सटेंशन कंचपाड़ा, मलाड वेस्ट, मुंबई-400064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस पी 30 के" शृंखला के अंकक सूचक सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसका ब्रांड का नाम "सिट्रान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/860 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो अधिकतम 50 कि.ग्रा. क्षमता के "ई" मान के लिए 100 मि.ग्रा. से 2 ग्रा. तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 कि.ग्रा. से 10,000 कि.ग्रा. तक "ई" मान के लिए 5 ग्राम अथवा अधिक और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(145)/2002]

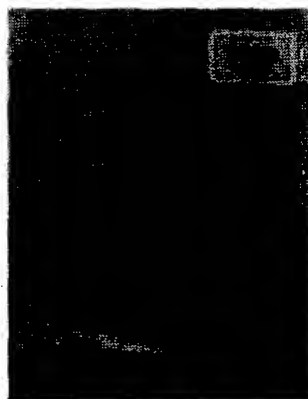
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2864.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "SP-30K" series of medium accuracy (Accuracy class-III) with brand name "CITRON" (hereinafter referred to as the said model), manufactured by M/s. Sterling Weighing Systems, Pvt. Ltd., C-24/F, Malad Industrial Co-operative Society, Ramachandra Lane Extn., Kanchpada, Malad West, Mumbai-400064 and which is assigned the approval mark IND/09/2005/860;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts. and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. and with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(145)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2865.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्टर्लिंग वेईंग सिस्टम प्राइवेट लिमिटेड, सी-24/एफ मलाड इंडस्ट्रियल को-ऑपरेटिव सोसाइटी, रामचन्द्र लेन एक्सटेंशन कंचपाड़ा, मलाड वेस्ट, मुंबई-400064 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-II) वाले "एस पी एच-150 के" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसका ब्रांड का नाम "सिट्रान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/861 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है और न्यूनतम क्षमता 500 ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 10 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित अधिकतम 50 कि.ग्रा. क्षमता के साथ उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 50 कि.ग्रा. से 500 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 100 मि.ग्रा. अथवा अधिक तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि.ग्रा. से अधिक और 50,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(145)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2865.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "SPH-150K" series of high accuracy (Accuracy class-II) and with brand name "CITRON" (herein referred to as the said model), manufactured by M/s. Sterling Weighing Systems, Pvt. Ltd., C-24/F, Malad Industrial Co-operative Society, Ramachandra Lane Extn., Kanchpada, Malad West, Mumbai-400064 and which is assigned the approval mark IND/09/2005/861;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150 kg. and minimum capacity of 500g. The verification scale interval (e) is 10g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity ranging above 50 kg. to 500 kg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

[F. No. WM-21(145)/2002]

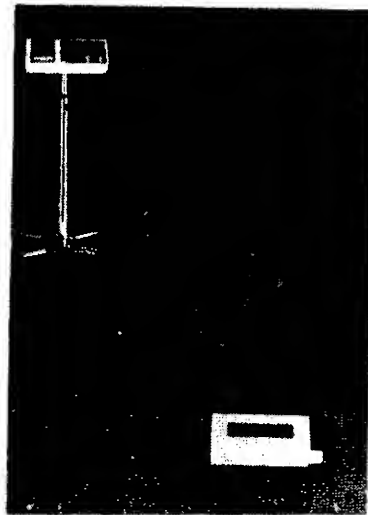
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2866.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्टर्लिंग वेईंग सिस्टम प्राइवेट लिमिटेड, सी-24/एफ मलाड इंडस्ट्रियल को-ऑपरेटिव सोसाइटी, रामचन्द्र लेन एक्सटेंशन कंचपाड़ा, मलाड वेस्ट, मुंबई-400064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस पी 150-के" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसका ब्रांड का नाम "सिट्रान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/862 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 20 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित अधिकतम 50 कि.ग्रा. क्षमता के साथ उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 500 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(145)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2866.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "SP-150K" series of medium accuracy (Accuracy class-III) and with brand name "CITRON" (herein after referred to as the said model), manufactured by M/s. Sterling Weighing Systems, Pvt. Ltd., C-24/F, Malad Industrial Co-operative Society, Ramachandra Lane Extn., Kanchpada, Malad West, Mumbai-400064 and which is assigned the approval mark IND/09/2005/862;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 150 kg and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and upto 500kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(145)/2002]

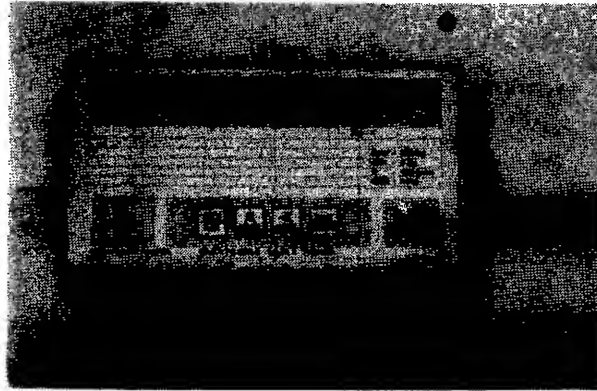
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2867.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मल्टी वे सिस्टम्स, सी-177, अकुरली इंडस्ट्रियल एस्टेट, अकुरली रोड, कान्दीवली (ईस्ट), मुम्बई-400 101, द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एम डब्ल्यू एस” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मल्टी वे सिस्टम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/264 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेट फार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेट्र, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(111)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2867.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "MWS" series of medium accuracy (Accuracy class-III) and with brand name "MULTI WEIGH SYSTEM" (herein referred to as the said model), manufactured by M/s. Multi Weigh Systems, C-177, Akurli Industrial Estate, Akurli Road, Kandiveli (East), Mumbai-400 101 and which is assigned the approval mark IND/09/2004/264;



The said model is a strain gauge type load cell based Non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model that also cover the weighing instruments of same series with maximum capacity above 50kg and upto 1000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

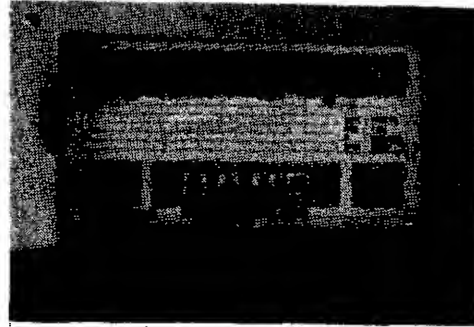
[F. No. WM-21(111)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2868.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स म.ल्टी वे सिस्टम्स, सी-177, अकुरली इंडस्ट्रियल एस्टेट, अकुरली रोड, कान्दीवली (ईस्ट), मुम्बई-400.101, द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एम डब्ल्यू एस-501” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (होपर प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मल्टी वे सिस्टम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/265 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (होपर प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अन्तराल सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

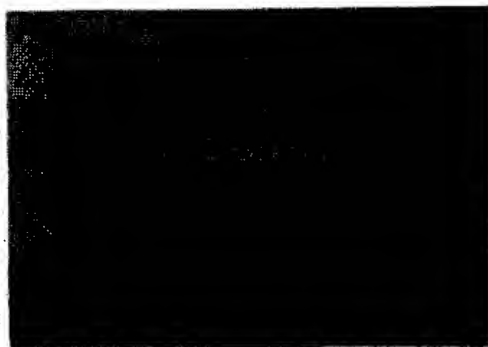
[फा. सं. डब्ल्यू एम-21(111)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2868.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Hopper type) weighing instrument with digital indication of "MWS-501" series of medium accuracy (Accuracy class-III) with brand name "MULTI WEIGH SYSTEM" (herein referred to as the said model), manufactured by M/s. Multi Weigh Systems, C-177, Akurli Industrial Estate, Akurli Road, Kandiveli (East), Mumbai-400 101 and which is assigned the approval mark IND/09/2004/265;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Hopper type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and upto 5000kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(111)/2002]

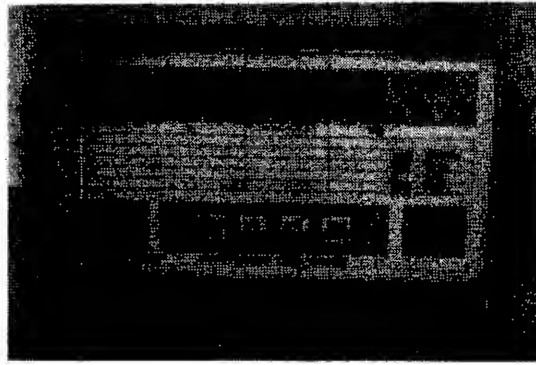
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2869.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मल्टी वे सिस्टम्स, सी-177, अकुरली इंडस्ट्रियल एस्टेट, अकुरली रोड, कान्दीवली (ईस्ट), मुम्बई-400101, द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम डब्ल्यू एस-701" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम "मल्टी वे सिस्टम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/266 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टैंकर स्केल) तोलन उपकरण है। इसकी अधिकतम क्षमता 5,000 कि.ग्रा. और न्यूनतम क्षमता 20 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 1 कि.ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अन्तराल सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

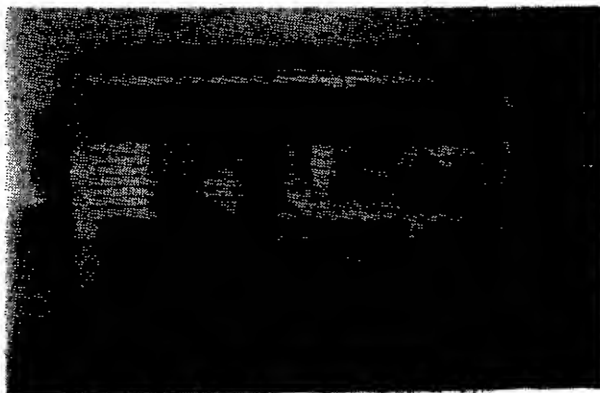
[फा. सं. डब्ल्यू एम-21(111)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2869.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication of "MWS-701" series of medium accuracy (Accuracy class-III) and with brand name "MULTI WEIGH SYSTEM" (herein referred to as the said model), manufactured by M/s. Multi Weigh Systems, C-177, Akurli Industrial Estate, Akurli Road, Kandiveli (East), Mumbai-400101 and which is assigned the approval mark IND/09/2004/266;



The said model is a strain gauge type load cell based Non-automatic weighing instrument (Tanker Scale) with a maximum capacity of 5,000 kg and minimum capacity of 20 kg. The verification scale interval (e) is 1kg. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and upto 5,000kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

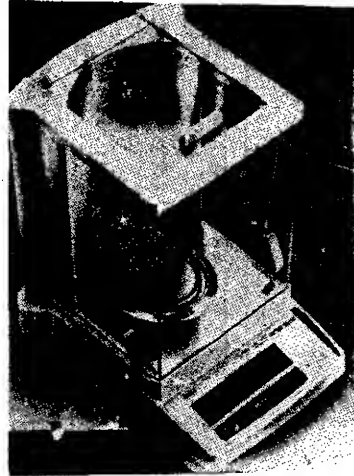
[F. No. WM-21(111)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2870.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा नोदरलैंड मीट्रिनस्टीटुट (एन एम आई) नोदरलैंड द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) के तौसरे परन्तुक और धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टेलिडो गम्बएच, आई एम लांगयेर 8606 ग्रीफेन्सी स्विटजरलैंड द्वारा विनिर्मित और भारत में एशको इंडस्ट्रीज लिमिटेड, लैब हाउस एफ-12, एम आई डी सी अंधेरी (पूर्वी) मुम्बई-400093, द्वारा बिना किसी परिवर्तन और परिवर्धन के विक्रीत किए गए विशेष यथार्थता वर्ग (यथार्थता वर्ग-I) वाले "ए बी-एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसका ब्रांड का नाम "मैटलर टेलिडो" है और जिसे अनुमोदन चिह्न आई एन डी/13/05/536 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल इलैक्ट्रॉनिक और मापन सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता ≤ 220 ग्रा. ई ≥ 1 मि.ग्रा. के लिए सत्यापन मापमान अंतराल एन $\leq 220,000$ के बाबत ई ≥ 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

[फा. सं. डब्ल्यू एम-21(116)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2870.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority along with the Model approval certificate issued by the Netherlands Meetinstitute (NMI), Netherlands; is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves, issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of special accuracy class (Accuracy Class-I) and of series 'AB-S' with brand name "Mettler-Toledo" and manufactured by M/s. Mettler-Toledo GmbH, Im Langacher, 8606 Grefensee, Switzerland and sold in India without any alteration or additions by M/s Ashco Industries Limited, Lab House, F-13, MIDC, Andheri (E), Mumbai-400093 and which is assigned the approval mark IND/13/05/536;



The said model is an electronic and measuring cell based non-automatic weighing instrument (Table top type) with maximum capacity ≤ 220 g, $e \geq 1$ mg in respect of verification scale interval $n \leq 220,000$ for $e \geq 1$ mg. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

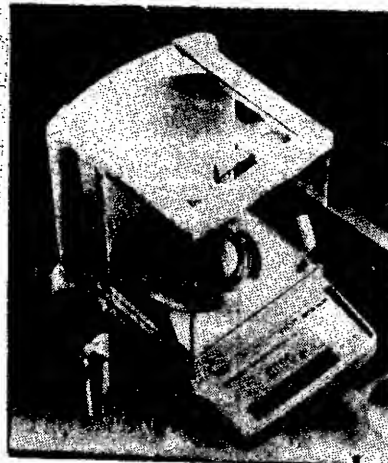
[F. No. WM-21(116)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2871.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा नीदरलैंड मीटिंगस्टीटुट (एन एम आई) नीदरलैंड द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उप-धारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेटलर टोलिडो गम्बएच, आईएम लांगेरे 8606 ग्रीफेन्सी स्विट्जरलैण्ड द्वारा विनिर्मित और भारत में एशको इंडस्ट्रीज लिमिटेड, लैब हाउस एफ-12, एम आई डी सी अंधेरी (पूर्वी) मुंबई-400093 द्वारा बिना किसी परिवर्तन और परिवर्धन के विक्रीत किए गए विशेष (यथार्थता वर्ग (यथार्थता वर्ग-1) वाले "ए बी-एस/ए बी-एल" शृंखला के अंकक सूचना सहित अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर टेलीडो" है और जिसे अनुमोदन चिह्न आई एन डी/13/2005/535 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल इलेक्ट्रॉनिक और मोनोब्लॉक प्रौद्योगिकी आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 320 ग्रा., ई ≥ 1 मि. ग्रा. या अधिकतम क्षमता ≤ 1600 कैरट, ई ≥ 5 कैरट, सत्यापन मापमान अन्तराल एन $\leq 320,000$ के लिए ई ≥ 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

[फा. सं. डब्ल्यू एम-21(116)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2871.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model approval certificate issued by the Netherlands Meetinstituut (NMI), Netherlands, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the non-automatic weighing instrument (Table top type) with digital indication of Special accuracy class (Accuracy Class-I) and of series "AB-S/AB-L/AB-C" with brand name "Mettler-Toledo" and manufactured by M/s. Mettler-Toledo GmbH, Im Langacher, 8606 Grefensee, Switzerland and sold in India without any alteration or additions by M/s Ashco Industries Limited, Lab House, F-13, MIDC, Andheri (E), Mumbai-400093 and which is assigned the approval mark IND/13/2005/535;



The said model is an electronic and monoblock technology based non-automatic weighing instrument (Table Top type) with maximum capacity ≤ 320 g. $e \leq 1$ mg or maximum capacity ≤ 1600 ct, $e \geq 5$ ct. respect of verification scale interval $n \leq 320,000$ for $e \geq 1$ mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

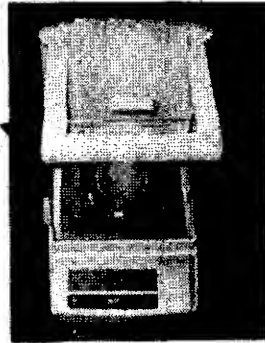
[F. No. WM-21(116)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2872.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा नीदरलैंड मीटिनस्टीटुट (एन एम आई) नीदरलैंड द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उप-धारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टेलीडो गम्बंएच, आईएम लांगयेर 8606 ग्रीफेन्सी स्विट्जरलैण्ड द्वारा विनिर्मित और भारत में एशको इंडस्ट्रीज लिमिटेड, लैब हाउस एफ-12, एम आई डी सी अंधेरी (पूर्वी) मुंबई-400093 द्वारा बिना किसी परिवर्तन और परिवर्धन के विक्रीत किए गए मध्यम यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "पीबी-एस/पीबी-एल जेबी-जी" शृंखला के अंकक सूचन सहित अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मैटलर टेलीडो" है और जिसे अनुमोदन चिह्न आई एन डी/09/2005/537 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल इलेक्ट्रॉनिक और मोनोब्लॉक प्रौद्योगिकी आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 8100 ग्रा., ई \geq 10 मि. ग्रा. और सत्यापन मापमान अन्तराल एन \leq 61,000 ई \geq 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैंडिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जायेगा।

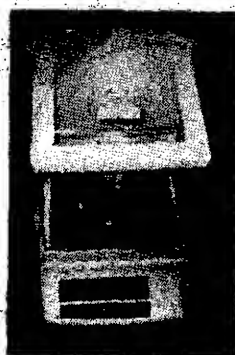
[फा. सं. डब्ल्यू एम-21(116)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2872.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model approval certificate issued by the Netherlands Meetinstitut (NMI), Netherlands, is satisfied that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the non-automatic weighing instrument (Table top type) with digital indication of high accuracy class (Accuracy Class-II) and of series "PB-S/PB-L/JB-G" with brand name "Mettler-Toledo" and manufactured by M/s. Mettler-Toledo GmbH, Im Langacher, 8606 Grefensee, Switzerland and sold in India without any alteration or additions by M/s Ashco Industries Limited, Lab House, F-13, MIDC, Andheri (E), Mumbai-400 093 and which is assigned the approval mark IND/09/05/537;



The said model is an electronic and monoblock technology based non-automatic weighing instrument (Table Top type) with maximum capacity $\leq 8100g$, $e \geq 10mg$ in respect of verification scale interval $n \leq 61,000$ for $e \geq 1mg$. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

[F. No. WM-21(116)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 27 जून, 2006

का. आ. 2873.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा नीदरलैंड मीट्रिस्टीटुट (एन एम आई) नीदरलैंड द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उप-धारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलीडो गम्बएच, आईएम लांगयेर 8606 ग्रीफेन्सी स्विटजरलैण्ड द्वारा विनिर्मित और भारत में एशको इंडस्ट्रीज लिमिटेड, लैब हाउस एफ-12, एम आई डी सी अंधेरी (पूर्वी) मुंबई-400093 द्वारा बिना किसी परिवर्तन और परिवर्धन के विक्रीत किए गए मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "पीबी-एस" शृंखला के अंकक सूचना सहित अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मैटलर टोलीडो" है और जिसे अनुमोदन चिह्न आई एन डी/13/2005/538 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल इलेक्ट्रॉनिक और मापन सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता सत्यापन मापमान अन्तराल $n \leq 8100$ के बाबत ≤ 8100 ग्रा., $e \geq 1$ ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा।

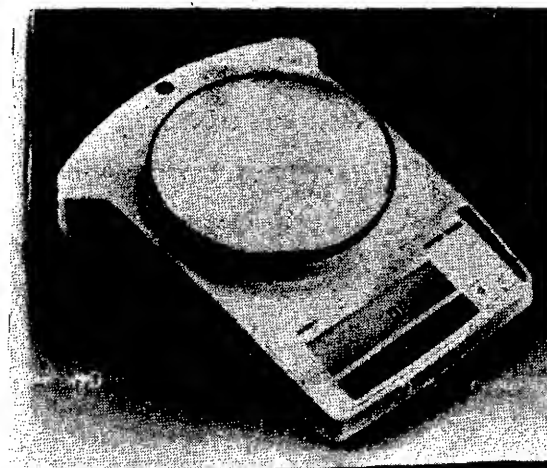
[फा. सं. डब्ल्यू एम-21(116)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th June, 2006

S.O. 2873.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the model approval certificate issued by the Netherlands Meetinstituut (NMI), Netherlands, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by third proviso to Sub section (3) and Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves issues and publishes the certificate of approval of the model of the non-automatic weighing instrument (Table top type) with digital indication of medium accuracy class (Accuracy class-III) and of series "PB-S" with brand name "Mettler-Toledo" and manufactured by M/s. Mettler-Toledo GmbH, Im Langacher, 8606 Grefensee, Switzerland and sold in India without any alteration or additions by M/s Ashco Industries Limited, Lab House, F-13, MIDC, Andheri (E), Mumbai-400 093 and which is assigned the approval mark IND/I3/05/538;



The said model is an electronic and monoblock technology based non-automatic weighing instrument (Table Top type) with maximum capacity $\leq 8100g$, $e \geq 1g$ in respect of verification scale interval $n \leq 8100$. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

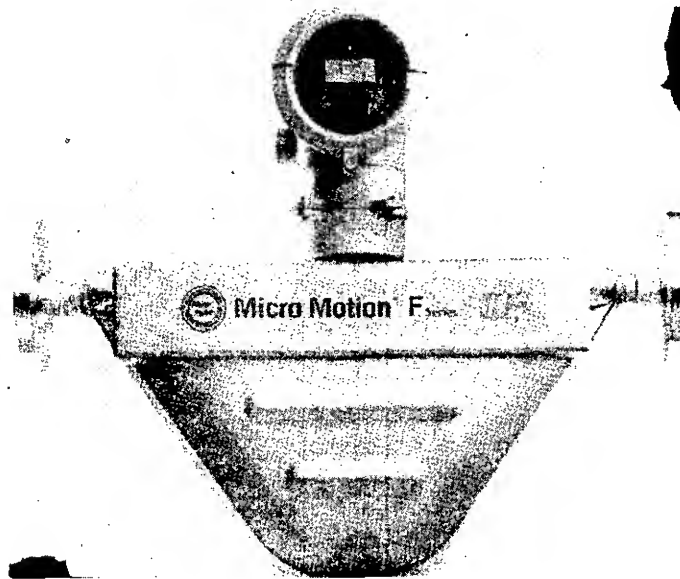
[F. No. WM-21(116)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2874.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एमर्सन प्रोसेस मैनेजमेंट इण्डिया प्राइवेट लिमिटेड, आयल एण्ड गैस सेक्टर, मॉड्रन मिल्स कम्पाउंड, डी विंग, दूसरा तल, साने गुरुजी मार्ग, जैकब सर्किल, महालक्ष्मी, मुंबई-400011 द्वारा विनिर्मित द्रव माप दर्शाने के लिए दो लाइन डिस्प्ले सहित 17100 के इलैक्ट्रॉनिक ट्रांसमीटर के साथ एफ 100एस 129एससीएजेडईजेडजेडजेडजेड ब्राण्ड के कोरियोलिस मास फ्लो के मॉडल जिसे अनुमोदन चिह्न आई एन डी/09/2005/774 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक मास फ्लो मीटर है जो द्रव को मापने के लिए प्रयोग में लाए जाने वाले डिजिटल प्रदर्शक के साथ कोरियोलिस माप सिद्धान्त पर कार्य करता है। परीक्षण ओ आई एम एल आर 105-''डायरेक्ट मास फ्लो मीसियरिंग सिस्टम फॉर क्वांटिटिज ऑफ लिक्विड'' में यथा निर्धारित सामान्य नार्म के अनुसार किये गये। उसकी तकनीकी ब्यौरा इस प्रकार से है-

प्रकार-एफ 100

मॉडल संख्या-एफ 100 एस 129एससीएजेडईजेडजेडजेडजेड

आकार-25एमएम

यथार्थता- $\pm 0.20\%$ की दर

रिपेटेबिलिटी- $\pm 0.10\%$ की दर

नॉमिनल फ्लो रेंज- 13600 किलो ग्राम/घण्टा

एम्बियन्ट ताप सीमा- 40°C से 60°C

आद्रता सीमा- 5 से 95% गैर कन्डेन्सिंग

स्टैम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

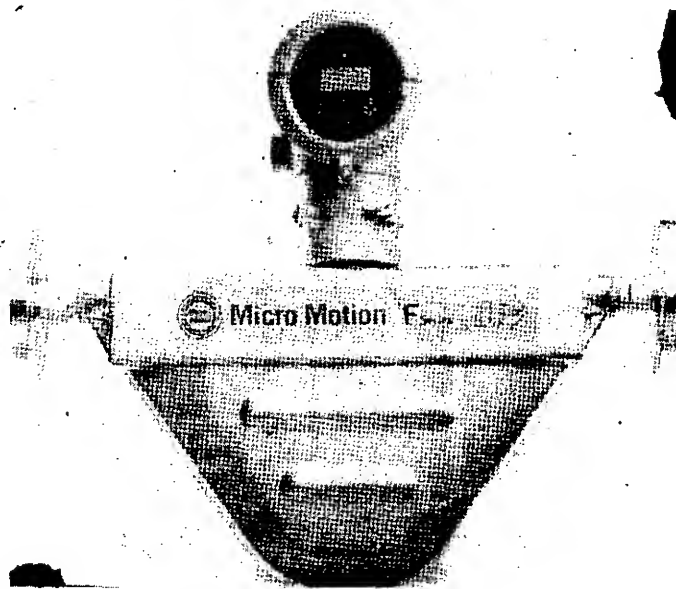
[फा. सं. डब्ल्यू एम-21(271)/2001]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2874.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the Coriolis Mass Flow Meter with brand F100S129SCAZEZZZZ along with electronic transmitter of 17100 with two line display for liquids measurement manufactured by M/s. Emerson Process Management India Private Limited, Oil & Gas Sector, Modern Mills Compound, D Wing, 2nd Floor, Sane Guruji Marg, Jacob Circle, Mahalaxmi, Mumbai-400011, Maharashtra and which is assigned the approval mark IND/09/05/774;



The said model is a Mass Flow meter working on the principle of Coriolis measuring principle with digital indication used for measuring liquid. The test was conducted as per the general norms laid down in the OIML R 105- "Direct Mass Flow Measuring Systems for quantities of liquids". The technical details as follows-

Type- F100
 Model No.-F100S 129SCAZEZZZZ
 Size- 25mm
 Accuracy- +/- 0.20% of rate.
 Repeatability- +/- 0.10% of rate.
 Nominal Flow range-13600kg/hr
 Ambient temperature limit- -40 °C to 60° C
 Humidity limit-5 to 95% non condensing.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

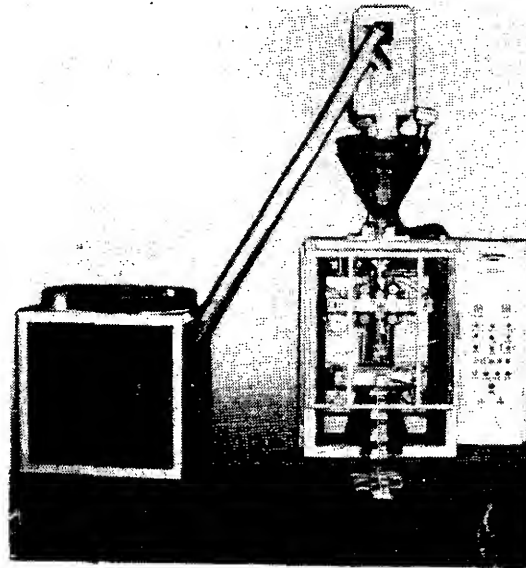
[F. No. WM-21(271)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2875.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की और धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इस्टेंट पेकेजिंग सोल्यूशन, डी-13, इण्डस्ट्रियल एस्टेट, मोला अली, हैदराबाद-500040 द्वारा विनिर्मित "आई पी एस-वी ए" शृंखला के स्वतः सूचक, स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (ओगर फिलर) के मॉडल का, जिसके ब्रांड का नाम "इस्टेंट पेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह्न आई एन डी/09/2005/1061 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक स्वचालित फिलिंग मशीन (ओगर फिलर) है। इसकी क्षमता 2 ग्राम से 1000 ग्राम या उसके समान वोल्यूम की रेंज में है जो ओगर स्कू के व्यास पर निर्भर करती है। इसका उत्पादन 20 से 90 भरण प्रति मिनट है (अधिकतम) जो भरे जाने वाले उत्पाद के विनिर्देशनों और मात्रा पर निर्भर करता है। उपकरण 230-वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसका प्रयोग नान-फ्री उत्पादों जैसे मिल्क पाउडर, कॉफी पाउडर, गेहूं का आटा, पिसे मसाले, भेषजीय पाउडर, दूध पाउडर, रसायनों आदि को भरने के लिए किया जाता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, 2 ग्राम से 1000 ग्राम की रेंज की क्षमता के साथ विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे।

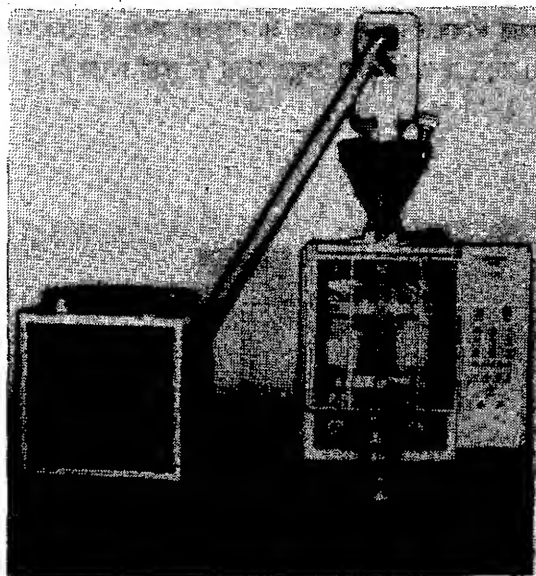
[फा. सं. डब्ल्यू एम-21(299)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2875.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Self indicating, Automatic Gravimetric Filling Machine (Auger Filler) of "INSTANT PACK" series with brand name "IPS-VA" (herein referred to as the said model), manufactured by M/s. Instant Packaging Solutions, D-13, Industrial Estate, Moula Ali, Hyderabad-500 040 and which is assigned the approval mark IND/09/2005/1061;



The said model is an automatic filling machine (Auger Filler) with a capacity in the range of 2g to 1000g or of equivalent volume depending upon the diameter of Auger screw. Its output is 20 to 90 fills per minute (max. depending upon the product specifications and quantity of the fill. It operates on 230V and 50Hz alternative current power supply. It is used for filling the non-free flowing products such as milk powder, coffee powder, wheat flour, ground spices, pharmaceutical powder, tooth powder, chemicals etc.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the filling machines of similar make, accuracy and performance of same series with capacity ranging between from 2g to 1000g or of equivalent volume, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(299)/2005]

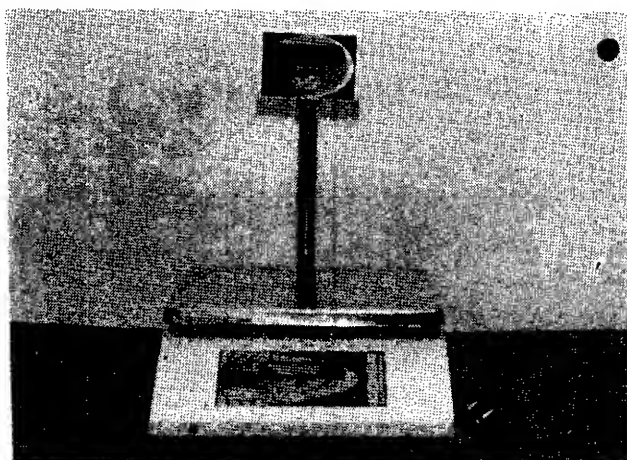
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2876.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए.के. ट्रेडर्स, सी डब्ल्यू-35-899, एम ए रोड, कन्नूर-670001 केरल द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ए के टी-टी बी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "येके" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/224 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 किलोग्राम है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्राम तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन अन्तराल (एन) और 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अन्तराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(48)/2006]

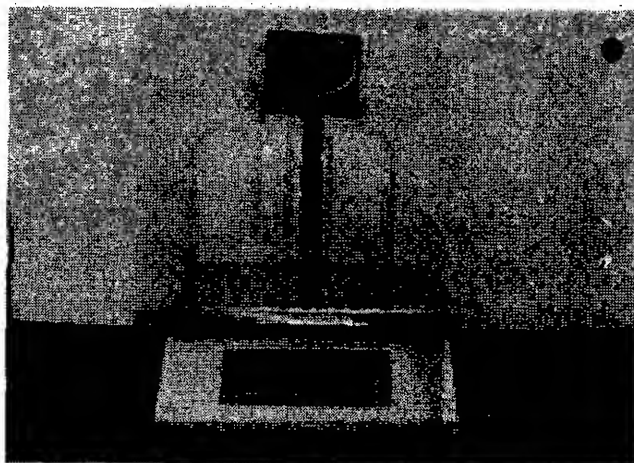
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2876.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of “AKT-TB” series of medium accuracy (Accuracy class-III) and with brand name “YEKAY” (herein referred to as the said model), manufactured by M/s. A.K. Traders, CW 35-899, M.A. Road, Kannur-670001, Kerala and which is assigned the approval mark IND/09/2006/224;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(48)/2006]

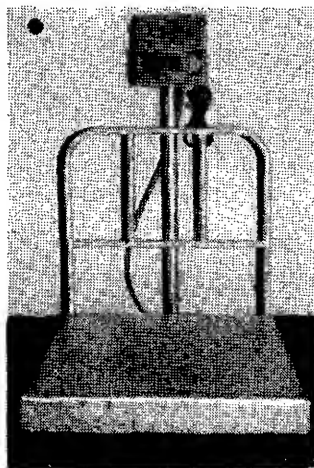
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2877.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसें प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए.के. ट्रेडर्स, सी डब्ल्यू-35-899, एम ए रोड, कन्नूर-670001, केरल द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ए के टी-पी टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "येके" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/225 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 किलो ग्राम है और न्यूनतम क्षमता 4 कि.ग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

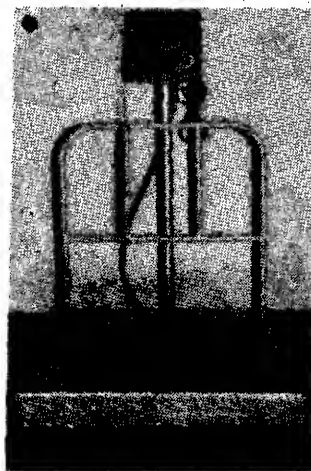
[फा. सं. डब्ल्यू एम-21(48)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2877.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "AKT-PT" series of medium accuracy (Accuracy class-III) and with brand name "YEKAY" (herein referred to as the said model), manufactured by M/s. A.K. Traders, CW 35-899, M.A. Road, Kannur-670001, Kerala and which is assigned the approval mark IND/09/2006/225;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1,000kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments, of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5,000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(48)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2878.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सनटैक इंटरनेशनल, 1936, दारा मार्किट, जौहरी बाजार, जयपुर-302003 (राजस्थान) द्वारा विनिर्मित मध्यम (यथार्थता वर्ग-III) वाले "एस आई पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सनटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/349 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार भार सेल आधारित अस्वचालित (प्लेट फार्म प्रकार) तोलन उपकरण है। जो अंकक सूचन के सिद्धांत के आधार पर कार्य करता है। इसकी अधिकतम क्षमता 1000 कि. ग्राम और न्यूनतम क्षमता 2कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(70)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2878.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series-SIP with brand name "SUNTECH" (hereinafter referred to as the said Model), manufactured by M/s. Suntech International, 1936, Dara Market, Johari Bazar, Jaipur-302003 (Rajasthan), and which is assigned the approval mark IND/09/2006/349;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) working on the principle of load cell with digital indication of maximum capacity of 1000kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50 Hz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 50kg and up to 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 100mg or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(70)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2879.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सूनटैक इंटरनेशनल, 1936, दारा मार्किट, जौहरी बाजार, जयपुर-302003 (राजस्थान) द्वारा विनिर्मित मध्यम (यथार्थता वर्ग-III) वाले "एस आई टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सनटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/348 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है जो अंकक सूचन के साथ भार सेल के सिद्धांत पर कार्य करता है। इसकी अधिकतम क्षमता 30 कि. ग्राम और न्यूनतम क्षमता 100 कि.ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 15 किलोग्राम तक 5 ग्राम और 15 से 30 किलोग्राम तक 10 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल. ई. डी.) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

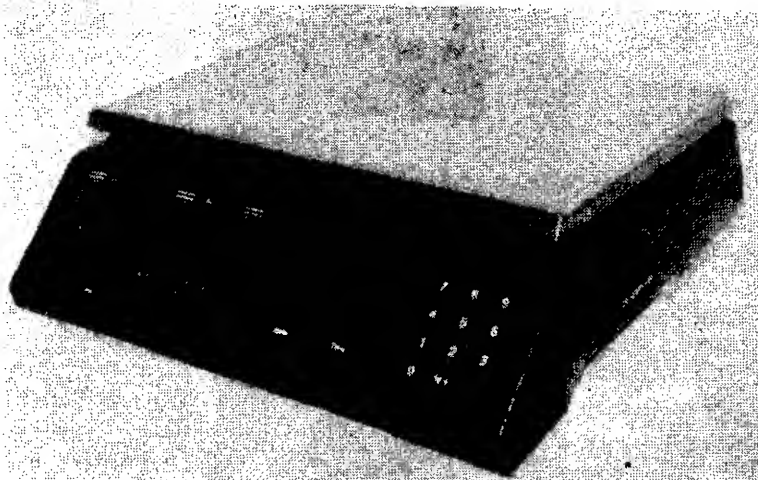
[फा. सं. डब्ल्यू एम-21(70)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2879.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with dual range (Table top type) with digital indication of medium accuracy (accuracy class-III) of series-SIT with brand name "SUNTECH" (hereinafter referred to as the said model), manufactured by M/s. Suntech International 1936, Dara Market, Johari Bazar, Jaipur-302003 (Rajasthan), and which is assigned the approval mark IND/09/2006/348:



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) working on the principle of load cell with digital indication of maximum capacity of 30kg and minimum capacity of 100 g. The verification scale interval (e) is 5 g. upto 15 Kg. and 10 g. above to 15kg and upto 30 Kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 100mg or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

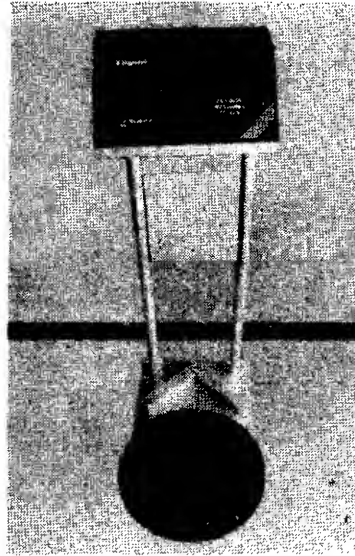
[F. No. WM-21(70)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2880.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इलिजेंट एन्टरप्राइजेज, सागर हाइट, एस सं. 21/2, आफिस नं. 10/11/12, पहली मंजिल, बालाजी नगर, धनकवाडी, पुणे-411043, महाराष्ट्र द्वारा विनिर्मित मध्यम (यथार्थता वर्ग-III) वाले "एक्स पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टिकट या बिना टिकट मुद्रण सुविधा के साथ कोयन प्रचालित इलैक्ट्रॉनिक व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "इलिजेंट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/843 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल (ऊपर दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 150 किलो ग्राम है और न्यूनतम क्षमता 4 कि.ग्राम है। सत्यापन मापमान अन्तराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन पारणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 100 कि.ग्रा. से 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(221)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2880.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument with digital indication (Electronic Coin Operated Person weighing machine with or without ticket printing facility) of medium accuracy (accuracy class-III) belonging to 'ExP' series with brand "ELIGENT SCALE" (herein after referred to as the said model), manufactured by M/s. Eligent Enterprises, 'Sagar Heights', S. No. 21/2, Office No. 10/11/12, 1st Floor, Balaji Nagar, Dhankawadi, Pune-411043, Maharashtra and which is assigned the approval mark IND/09/2005/843;



The said model (see the figure given above) is a strain gauge type load cell based weighing instrument with the maximum capacity of 150kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. The display is of light emitting diode (LED) type. The instrument operates on 230 volts and 50 Hertz alternate current power supply.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100kg to 200kg verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F No. WM-21(221)/2005]

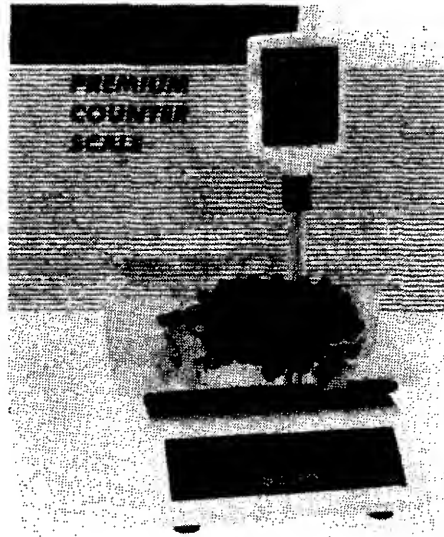
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2881.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स श्री साई स्वामी स्केल, 8ए/बी, सिडनी काटेज, बन्द्रेकवाडी, समरथ अस्पताल के पास, जोगेश्वरी (पूर्व) मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस आर टी" शृंखला के अस्वचालित, अंकक सूचन सहित (टेबल टॉप प्रकार) तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम "रियल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/687 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकित के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्राम तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(197)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

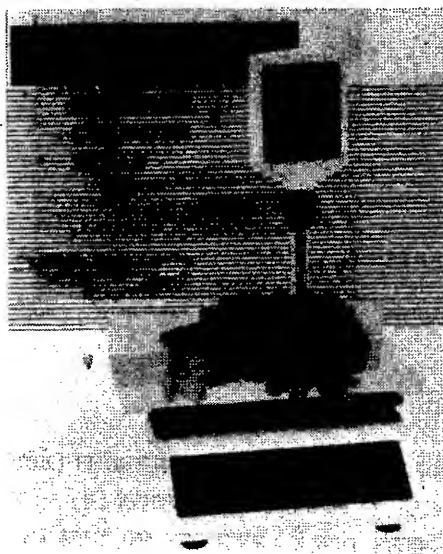
New Delhi, the 28th June, 2006

S.O. 2881.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Table top type) weighing instrument with digital indication of "SRT" series of medium accuracy (Accuracy class-III) and with brand name "REAL" (herein referred to as the said model), manufactured by M/s. Shri Sai Swami Scale, 8-A/B, Sydney Cottage, Bandrekarwadi, Near Samarath Hospital, Jogeswari (East), Mumbai-400060 and which is assigned the approval mark IND/09/2003/687;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

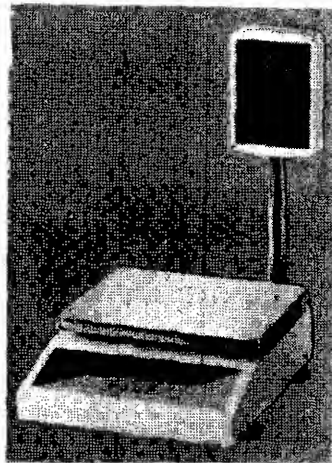
[F. No. WM-21(197)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2882.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स श्री साई स्वामी स्केल, 8ए/बी, सिडनी काटेज, बन्देकरवाडी, समरथ अस्पताल के पास, जोगेश्वरी (पूर्व) मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-II) वाले "एस आर एच" शृंखला के अस्वचालित, अंकक सूचन सहित (टेबल टॉप प्रकार) तोलने उपकरण के मॉडल का, जिसके ब्रांड का नाम "रियल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई. एन डी/09/2003/688 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

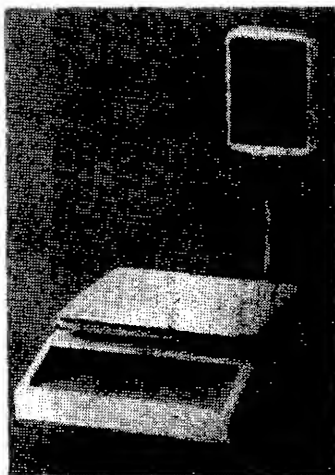
[फा. सं. डब्ल्यू एम-21(197)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2882.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Table top type) weighing instrument with digital indication of "SRH" series of medium accuracy (Accuracy class-II) and with brand name "REAL" (herein referred to as the said model), manufactured by M/s. Shri Sai Swami Scale, 8-A/B, Sydney Cottage, Bandrekarwadi, Near Samarath Hospital, Jogeswari (East), Mumbai-400060 and which is assigned the approval mark IND/09/2003/688;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 15 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

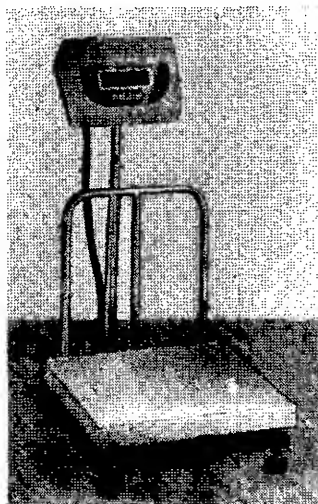
[F. No. WM-21(197)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 28 जून, 2006

का. आ. 2883.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स श्री साई स्वामी स्केल, 8ए/बी, सिडनी काटेज, बन्द्रेकरवाडी, समरथ अस्पताल के पास, जोगेश्वरी (पूर्व) मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस आर पी टी" शृंखला के अस्वचालित, अंकक सूचन सहित (टेबलटाप प्रकार) तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम "रियल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/689 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेंज प्रकार का लोड सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

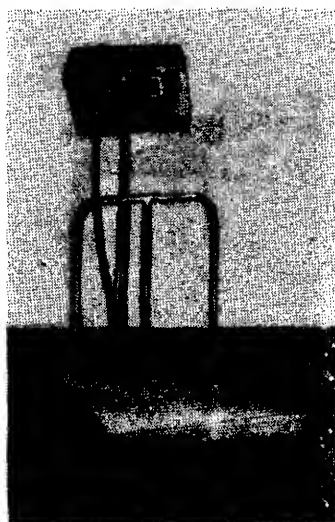
[फा. सं. डब्ल्यू.एम-21(197)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th June, 2006

S.O. 2883.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic (Platform type) weighing instrument with digital indication of "SRPT" series of medium accuracy (Accuracy class-III) and with brand name "REAL" (herein referred to as the said model), manufactured by M/s. Shri Sai Swami Scale, 8-A/B, Sydney Cottage, Bandrekarwadi, Near Samarth Hospital, Jogeswari (East), Mumbai-400060 and which is assigned the approval mark IND/09/2003/689;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

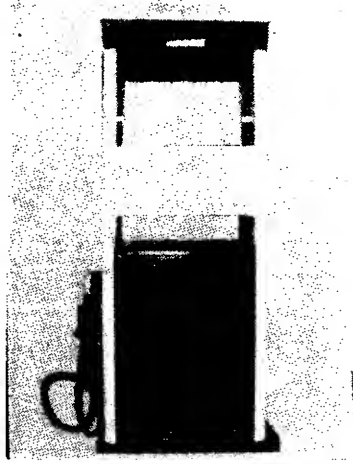
[F. No. WM-21(197)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2884.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखेम कैजन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400 709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट' शृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/643 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्पले (एल सी डी) प्रकार का अंकन सूचन सहित एक प्री मिक्स डिस्पेंसिंग पम्प है। इसमें सिंगल नोजल के साथ चार पिस्टन टाइप पाजिटिव डिस्प्लेसमेंट मीटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक प्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिवेर्सबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

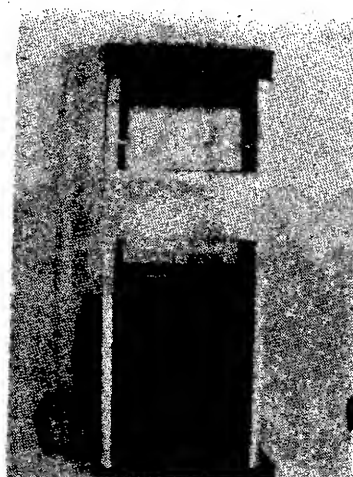
[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2884.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400 709, Maharashtra and which is assigned the approval mark IND/09/2005/643;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said model (see the figure given above) is a pre mix dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It is having four piston type positive displacement meter with single nozzle. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

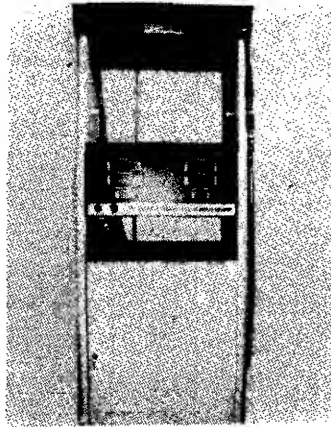
[F. No. WM-21(254)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2885.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखैम कैजिन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400 709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट' शृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/2005/644 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्पले (एल सी डी) प्रकार का अंकन सूचन सहित एक ग्री मिक्स डिस्पेंसिंग पम्प है। इसमें डबल नोजल के साथ चार पिस्टन टाइप पॉजिटिव डिस्प्लेसमेंट मोटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक ग्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिवर्सेबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

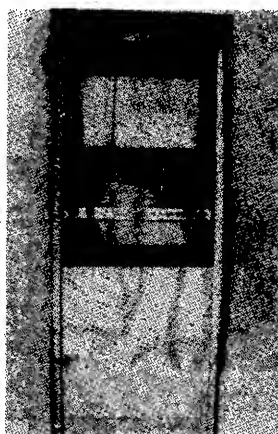
[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2885.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400 709, Maharashtra and which is assigned the approval mark IND/09/2005/644;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said model (see the figure given above) is a pre mix dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It consist of four piston type positive displacement meter with double nozel. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

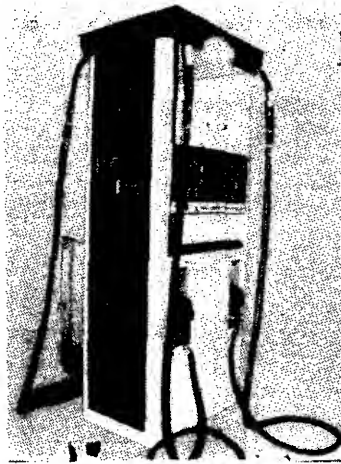
[F. No. WM-21(254)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2886.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखेंम कैजिन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400 709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट शृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/645 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



स्टॉम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रकार का अंकन सूचन सहित एक प्रीमिक्स डिस्पेंसिंग पम्प है। इसमें चार नोजलों के साथ चार पिस्टन टाइप पाजिटिव डिस्प्लेसमेंट मीटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक प्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिवर्सिबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

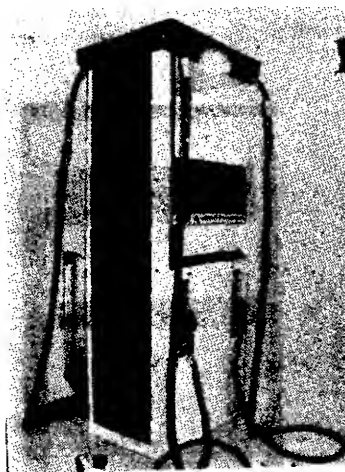
[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2886:—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400 709, Maharashtra and which is assigned the approval mark IND/09/2005/645;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said model (see the figure given above) is a dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It consists of four piston type positive displacement meter with four nozzle. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

[F. No. WM-21(254)/2004]

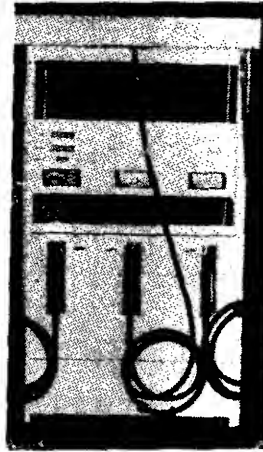
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2887.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखेम कैजिन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400 709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट' श्रृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/646 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।



उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्पले (एल सी डी) प्रकार का अंकन सूचन सहित एक ग्री मक्स डिस्पेंसिंग पम्प है। इसमें छः नोजलों के साथ चार पिस्टन टाइप पाजिटिव डिस्प्लेसमेंट मीटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक ग्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिवेर्सिबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2887.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s. Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400 709, Maharashtra and which is assigned the approval mark IND/09/05/646;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said model (see the figure given above) is a dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It consist of four piston type positive displacement meter with six nozzle. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

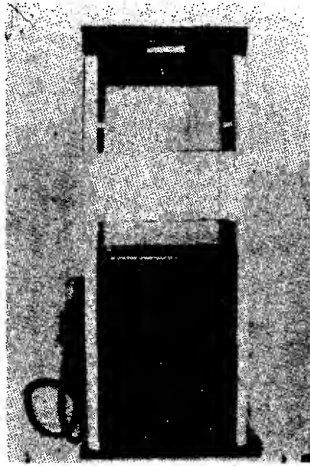
[F. No. WM-21(254)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

क्र. आ. 2888.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखेंम कैजिन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट' श्रृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/647 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रकार का अंकन सूचन सहित एक प्री मिक्स डिस्पेंसिंग पम्प है। इसमें सिंगल नोजल के साथ चार पिस्टन टाइप पाजिटिव डिस्प्लेसमेंट मीटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक प्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिवर्सिबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

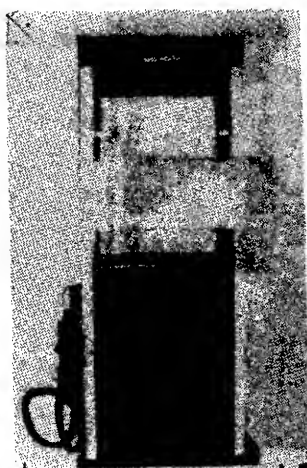
[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2888.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s. Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400709, Maharashtra and which is assigned the approval mark IND/09/05/647;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said Model (see the figure given above) is a dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It consist of four piston type positive displacement meter with single nozzle. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

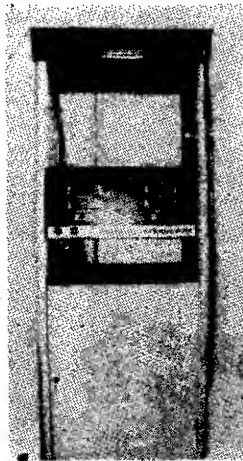
[F. No. WM-21(254)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2889.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोखेंम कैजन प्राइवेट लिमिटेड, ए-174, टी टी सी इंडस्ट्रीयल एरिया, एम आई डी सी विलेज, खैराना, नवी मुंबई-400709, महाराष्ट्र द्वारा निर्मित 'स्पिरिट' शृंखला के अंकक सूचन सहित, डिस्पेंसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्पिरिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/648 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

उक्त मॉडल (कृपया ऊपर दी गई आकृति देखें) लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रकार का अंकन सूचन सहित एक प्री मिक्स डिस्पेंसिंग पम्प है। इसमें डबल नोजल के साथ चार पिस्टन टाइप पाजिटिव डिस्प्लेसमेंट मीटर हैं। इसकी अधिकतम क्षमता 9999.99 लीटर और लघुतम इकाई 10 मिली लीटर है।

यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसमें यूनिट से डिस्पेंस की गई मात्रा और मूल्य को दर्शाने हेतु एक प्री सेट डिवाइस है। इसका अधिकतम प्रवाह 80 लीटर प्रति मिनट है। इसमें नान रिसेबल इलेक्ट्रॉनिक मैकेनिकल टोटलाइजर लगा हुआ है।

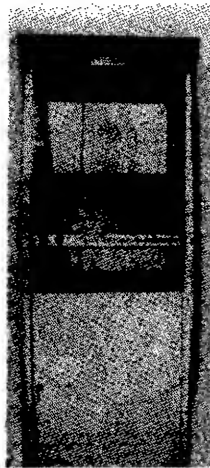
[फा. सं. डब्ल्यू एम-21(254)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2889 .—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Dispensing pump of digital indication with series and brand name "Spirit" (hereinafter referred to as the said Model) manufactured by M/s. Tokheim Kaizen Private Limited, A-174, TTC Industrial Area, MIDC Village, Khairana, Navi Mumbai-400709, Maharashtra and which is assigned the approval mark IND/09/05/648;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

The said Model (see the figure given above) is a dispensing pump with digital indication of Liquid Crystal Display (LCD) type. It consist of four piston type positive displacement meter with double nozzle. Its maximum capacity is 9999.99 litre and smallest division is 10ml. It operates on 230V, 50 Hertz alternate current power supply. It has a preset device for indication of price and volume dispensed through the unit. The maximum flow rate is 80 litre per minute. It is provided with non-reversible electromechanical totalizer.

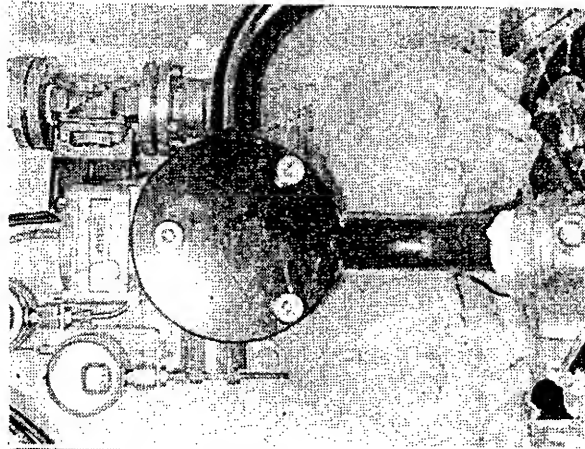
[F. No. WM-21(254)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2890.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा नीदरलैंड मीटिनस्टीट्यूट नीदरलैंड द्वारा जारी मानक अनुमोदन प्रमाणपत्र सं. टी 6001 रिवीजन 1 सहित उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोकहेम नीदरलैंड्स बी वी रिटेल पेट्रोलियम सिस्टम्स, टाउरलैगरस्ट्राट 17,2984, ए डब्ल्यू रिडरर्क, नीदरलैंड द्वारा निर्मित और भारत में मैसर्स टोकहेम कैपेन प्राइवेट लिमिटेड, ए-174, सी विलेज, खैराना, आर. आर. सी. इंडस्ट्रीयल एरिया, नवी मुंबई-400 709, द्वारा बिना किसी फेरबदल के बेची जा रही एल पी जी डिस्पेंसर के मॉडल का, जिसका ब्रांड का नाम क्वांटीडम XX (XX अनिवार्य सूचक नहीं है) और जिसे अनुमोदन चिह्न आई एन डी/13/6/276 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल क्वांटीडम XX (XX अनिवार्य सूचक नहीं है) एल पी जी डिस्पेंसर है। जी पी एल 700 ट्रांसड्यूसर के साथ इसकी अधिकतम प्रवाह दर 10-15 लीटर/मिनट है और एम ए-02524-एच के साथ अधिकतम प्रवाह दर 5-60 लीटर/मिनट है। न्यूनतम माप मात्रा 5 लीटर है। यह 25 बार तक के दबाव पर कार्य करती है। इससे एल पी जी, प्रोपेन और ब्यूटेन की माप की जाती है। मॉडल का पर्यावरण वर्ग 'ग' और यथार्थता वर्ग 1.0 (पृष्ठ 119/ग) है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा और मॉडल को बिक्री पूर्व अथवा बिक्री पश्चात उनकी सामग्री यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

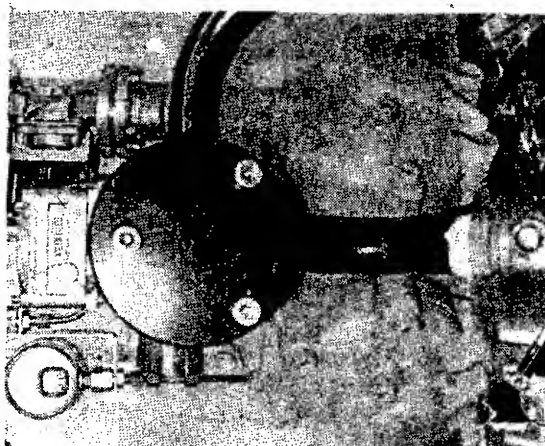
[फा. सं. डब्ल्यू एम-21(97)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2890.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the Model approval certificate No T6001 Revision 1 issued by the Nederlands Meetinstituut, the Netherlands is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-section (7) of Section 36 of the said act, the Central Government hereby publishes the certificate of approval of is a LPG Dispenser with brand name Quantum XX (XX is not an essential indication) manufactured by M/s. Tokheim Netherlands B. V. Retail Petroleum Systems, Touwslagerstraat 17, 2984, AW Ridderkerk, The Netherlands and sold in India without any alteration or additions by M/s. Tokheim Kaizen I Private Ltd., A 174, Village Khairane, RRC Ind. Area, Navi Mumbai-400 709 and which is assigned the approval mark IND/13/06/276;



The model is a quantum XX (XX is not an essential indication) LPG Dispenser. The maximum flow rate with measurement transducer GPL 700 is 10-15 litres/minutes and with measurement transducer MA-02524-H is 5-60 litres/minutes. The minimum measured quantity is 5 litres. It works on pressure up to 25 bar. It is intended for the measurement of LPG, Propan and Butan, the Environmental class of the model is C and belongs to Accuracy class 1.0. [page 119/c].

In addition to sealing the stamping place, sealing shall also be done to prevent the opening of the machine of fraudulent practices and the model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

[F. No. WM-21(97)/2006]

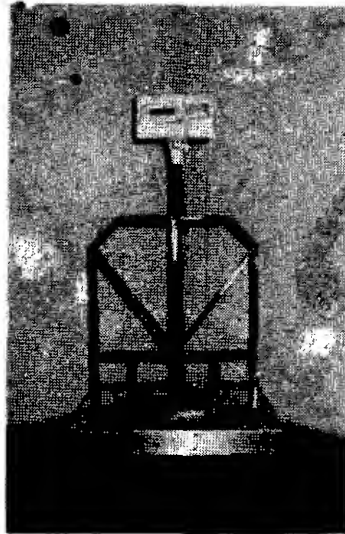
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2891.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डिजिटल वेइंग्स, नं. 479, 2 मेन, सेकिंड कास, सदाशिव नगर, बेलगांव-590001, कर्नाटक द्वारा विनिर्मित माध्यम (यथार्थता वर्ग III) वाले 'डी पी डब्ल्यू शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम 'डिजिटल ई एल' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/223 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 300 किलो ग्राम है और न्यूनतम क्षमता 1 किलो ग्राम है। सत्यापन मापमान अंतराल (ई) 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) की सहित 50 कि. ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

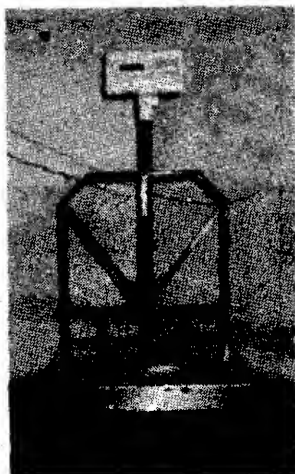
[फा. सं. डब्ल्यू एम-21(43)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2891.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "DPW" series of medium accuracy (Accuracy class-III) and with brand name "DIGITAL-EL" (herein referred to as the said model), manufactured by M/s. Digial Weighings, No. 479, 2nd Main, 2nd Cross, Sadashiv Nagar, Belgaum-590 001, Karnataka and which is assigned the approval mark IND/09/06/223;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. the instruments operates on 230V, 50HZ alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by Sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 1000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more 2g. and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(43)/2006]

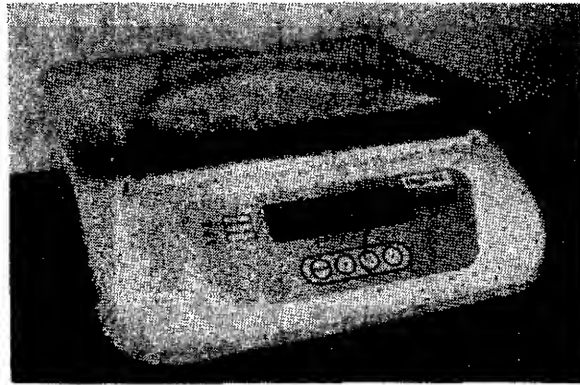
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2892.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डिजिटल वेइंग्स, नं. 479, 2 मैन, सेकिण्ड क्रास सदाशिव नगर, बेलगांव-590001, कर्नाटक द्वारा विनिर्मित मध्यम (यथार्थता वर्ग III) वाले 'डी टी डब्ल्यू' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का जिसके ब्रांड का नाम 'डिजिटल ई एल' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/222 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 किलो ग्राम है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक 'ई' मान के लिए 100 से 10,000 तक के रेंज में सत्यापन अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^0 , 2×10^0 या 5×10^0 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

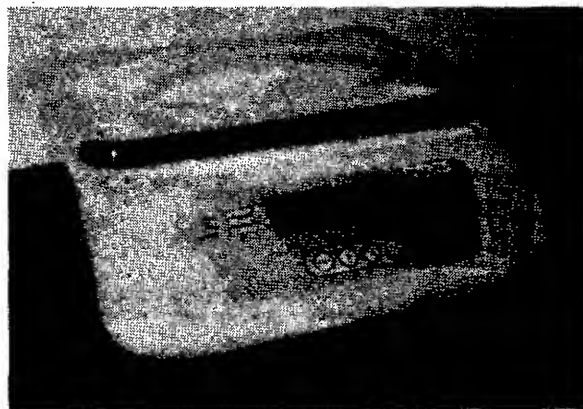
[फा. सं. डब्ल्यू एम-21(43)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2892.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "DTW" series of medium accuracy (Accuracy class-III) and with brand name "DIGIT-EL" (herein referred to as the said Model), manufactured by M/s. Digital Weighings, No. 479, 2nd Main, 2nd Cross, Sadashiv Nagar, Belgaum-590 001, Karnataka and which is assigned the approval mark IND/09/06/222;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50HZ alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(43)/2006]

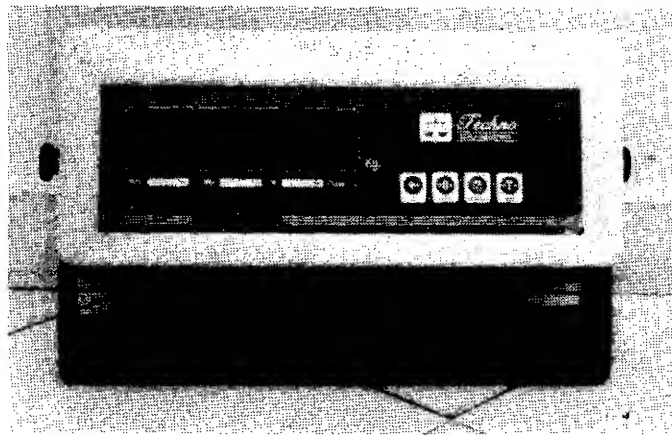
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 29 जून, 2006

का. आ. 2893.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टैक्नो स्केल इंडस्ट्रीज 47 श्री सोमनाथ सोसाइटी, नारनपुरा, अहमदाबाद-380013, द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले 'डी टी डब्ल्यू बी.50टी. शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार) के मॉडल का जिसके ब्रांड का नाम 'टैक्नो' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/357 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वे ब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 250 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान, 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 500 ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान अंतराल (एन) की संहित 50 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

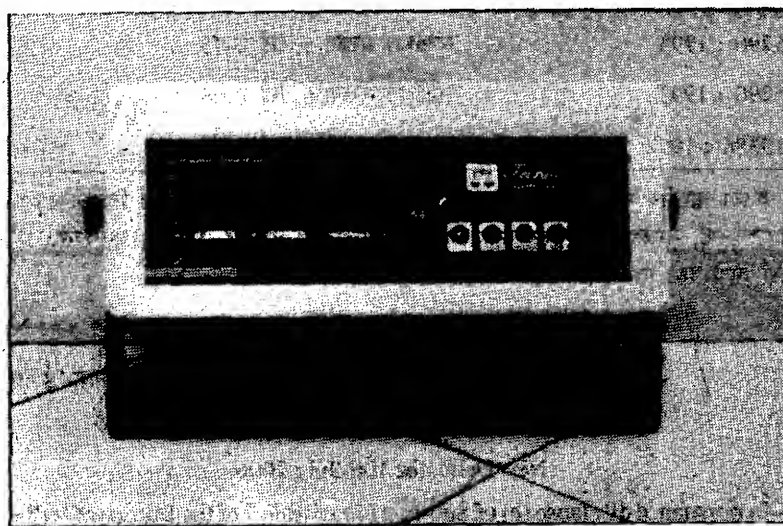
[फा. सं. डब्ल्यू एम-21(102)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th June, 2006

S.O. 2893.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Weighbridge type) with digital indication of "TWB-50T" series of medium accuracy (Accuracy class-II) and with brand name "TECHNO" (hereinafter referred to as the said Model), manufactured by M/s. Techno Scale Industries, 47, Shri Somnath Society, Naranpura, Ahmedabad-380013 and which is assigned the approval mark IND/09/06/357;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) working on the principle of load cell with digital indication of maximum capacity of 50 tonne and minimum capacity of 250kg. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, and 50HZ alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity above 5tonne and upto 100 tonne and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 500g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(102)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 10 जुलाई, 2006

का.आ. 2894.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1.	आई एस 884 : 1985	संशोधन संख्या 2, मई 2006
2.	आई एस 940 : 2003	संशोधन संख्या 2, मई 2006
3.	आई एस 4308 : 2003	संशोधन संख्या 2, मई 2006
4.	आई एस 5290 : 1993	संशोधन संख्या 4, अक्टूबर 2002
5.	आई एस 5290 : 1993	संशोधन संख्या 5, मई 2005
6.	आई एस 5290 : 1993	संशोधन संख्या 6, मई 2006
7.	आई एस 13386 : 1992	संशोधन संख्या 6, मई 2006

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

जे.सी. अरोड़ा, वैज्ञानिक 'ई' व प्रमुख (सिविल इंजीनियरी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 10th July, 2006

S.O. 2894.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 884 : 1985	Amendment No. 2, May 2006	20 June, 2006
2.	IS 940 : 2003	Amendment No. 2, May 2006	23 June, 2006
3.	IS 4308 : 2003	Amendment No. 2, May 2006	23 June, 2006
4.	IS 5290 : 1993	Amendment No. 4, October 2002	26 June, 2006
5.	IS 5290 : 1993	Amendment No. 5, May 2005	26 June, 2006
6.	IS 5290 : 1993	Amendment No. 6, May 2006	26 June, 2006
7.	IS 13386 : 1992	Amendment No. 6, May 2006	29 June, 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CED/Gazette]

J. C. ARORA, Sc. 'E' & Head (Civil Engg.)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2895.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2074 : 1992 तैयार मिश्रित रंग रोगन, हवा से सूखने वाले, रेड आक्साइड जिंक क्रोम वाले पहली सतह-विशिष्ट (दूसरा पुनरीक्षण)	संशोधन संख्या नं. 2, अप्रैल 2006	16 जून, 2006

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 20/आई एस 2074]

डा. यू. सी. श्रीवास्तव, वैज्ञानिक-ई निदेशक एवं प्रमुख (रसायन)

New Delhi, the 14th July, 2006

S.O. 2895.—In pursuance of clause (b) of Sub-rule (I) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2074 : 1992 Ready mixed paint, Air Drying, Red Oxide Zinc Chrome, Priming specification (Second Revision)	Amendment No. 2, April, 2006	16 June 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 20/IS 2074]

DR. U. C. SRIVASTAVA, Scientist-E Director & Head (Chemical)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2896.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15298 (भाग 3) : 2002 आईएसओ 8782-3 : 1998 व्यावसायिक उपयोग के लिए सुरक्षित, संरक्षी और नौकरी पेशा फुटवियर भाग 3 संरक्षी फुटवियर की विशिष्ट	संशोधन संख्या नं. 1, सितम्बर 2005	30 सितम्बर 2005

(1)	(2)	(3)	(4)
2.	आई एस 15298 (भाग 6) : 2004 आईएसओ 8782-6 : 2000 व्यावसायिक उपयोग के लिए सुरक्षित, संरक्षी और नौकरी पेशा फुटवियर भाग 6 सुरक्षित फुटवियर की अतिरिक्त विशिष्टि	संशोधन संख्या नं. 1, सितम्बर 2006	30 सितम्बर 2005
3.	आई एस 15298 (भाग 7) : 2004 आईएसओ 8782-7 : 2000 व्यावसायिक उपयोग के लिए सुरक्षित, संरक्षी और नौकरी-पेशा फुटवियर भाग 7 संरक्षी फुटवियर की अतिरिक्त विशिष्टियां	संशोधन संख्या नं. 1, सितम्बर 2005	30 सितम्बर 2005
4.	आई एस 15298 (भाग 8) : 2004 आईएसओ 8782-8 : 2000 व्यावसायिक उपयोग के लिए सुरक्षित, संरक्षी और नौकरी-पेशा फुटवियर भाग 8 सुरक्षित फुटवियर की अतिरिक्त विशिष्टियां	संशोधन संख्या नं. 1, सितम्बर 2005	30 सितम्बर 2005

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 19/आई एस 15298 (भाग 3, 6, 7 और 8)]

डा. यू. सी. श्रीवास्तव, वैज्ञानिक-ई निदेशक एवं प्रमुख (रसायन)

New Delhi, the 14th July, 2006

S.O. 2896.—In pursuance of clause (b) of Sub-rule (I) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 15298 (Part 3) : 2002 ISO 8782-3 : 1998 Safety, protective and occupational footwear for professional use Part 3 specification for protective footwear	Amendment No.1, September 2005	30 September 2005
2.	IS 15298 (Part 6) : 2004 ISO 8782-6 : 2000 Safety, protective and occupational footwear for professional use Part 6 Additional specification for safety footwear	Amendment No.1, September 2005	30 September 2005
3.	IS 15298 (Part 7) : 2004 ISO 8782-7 : 2000 Safety, protective and occupational footwear for professional use Part 7 Additional specification for protective footwear	Amendment No.1, September 2005	30 September 2005
4.	IS 15298 (Part 8) : 2004 ISO 8782-8 : 2000 Safety, protective and occupational footwear for professional use Part 8 Additional specification for safety footwear	Amendment No.1, September 2005	30 September 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 19/IS 15298 (Part 3, 6, 7 & 8)]

DR. U. C. SRIVASTAVA, Scientist-E Director & Head (Chemical)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2897.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 66 : 2006 पेन्ट के लिए मैग्नीशियम सिलिकेट वर्णकों की विशिष्टि (दूसरा पुनरीक्षण)	—	30 जून, 2006

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 20/आई एस 66]

डा. यू. सी. श्रीवास्तव, वैज्ञानिक-ई निदेशक एवं प्रमुख (रसायन)

New Delhi, the 14th July, 2006

S.O. 2897.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 66 : 2006 Magnesium Silicate Pigments for Paints-Specification (Second Revision)	—	30 June 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 20/IS 66]

Dr. U. C. SRIVASTAVA, Scientist-E Director & Head (Chemical.)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2898.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 10658 : 1999	संशोधन संख्या 5 मई, 2006	9 जून, 2006

इन संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/ राजपत्र]

जे. सी. अरोड़ा, वैज्ञानिक 'इ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 14th July, 2006

S.O. 2898.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of The amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 10658 : 1999	Amendment No. 5, May 2006	9 June, 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CED/ Gazette]

J. C. ARORA, Scientist 'E' & Head (Civil Engg.)

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2899.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 73 : 2006 खड़जा डालने के लिए- डामर-विशिष्ट (तीसरा पुनरीक्षण)	कुछ नहीं	जुलाई 2006

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : पीसीडी/जी-7 (गजट)]

डॉ. डी. के. चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 14th July, 2006

S.O. 2899.—In pursuance of clause (b) of Sub Rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Year and title of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 73 : 2006 Paving Bitumen-Specification (Third Revision)	None	July 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : PCD/G-7 (Gazette)]

Dr. D. K. CHAUDHURI, Scientist-F & Head

नई दिल्ली, 17 जुलाई, 2006

का.आ. 2900.—भारतीय मानक ब्यूरो नियम 1987 के नियम, 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15658 : 2006 खड़्गे के लिए पूर्व ढलित कंक्रीट ब्लॉक-विशिष्ट	—	30 जून, 2006

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/ राजपत्र]

जे. सी. अरोड़ा, वैज्ञानिक 'इ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 17th July, 2006

S.O. 2900.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15658 : 2006 Precast Concrete Blocks for Paving—Specification	—	30 June 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CED/ Gazette]

J. C. ARORA, Scientist 'E' & Head (Civil Engg.)

नई दिल्ली, 17 जुलाई, 2006

का.आ. 2901.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 940 : 2003	संशोधन संख्या 2 मई, 2006	01 जून, 2006

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/ राजपत्र]

जे. सी. अरोड़ा, वैज्ञानिक 'इ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 17th July, 2006

S.O. 2901.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 940 : 2003	Amendment No. 2, May 2006	01 August 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CED/ Gazette]

J. C. ARORA, Scientist 'E' & Head (Civil Engg.)

नई दिल्ली, 19 जुलाई, 2006

का.आ. 2902.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 5 के उपनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि वे लाइसेंस जिनके विवरण नीचे अनुसूची में दिए गए हैं को उनके आगे दर्शाए गई तिथि से रद्द कर दिया गया है :

अनुसूची

क्रम सं.	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम संबंध भारतीय मानक सहित	रद्द करने की तिथि
1	2	3	4	5
01.	1103722	मै. रीजलैंक पॉलीमर्स प्रा. लि. प्लॉट नं. ए-37, एमआयडीसी एरिया, जिला-वर्धा-442006 महाराष्ट्र राज्य	पेय जल की पूर्ति के लिए असुघटित पीवीसी पाइप- विशिष्ट, भा.मा. 4985 : 2000	21-7-2005
02.	7015654	मै. श्री गजानन कॉक्रीट प्रॉडक्ट्स प्लॉट नं. डी-29 एवं 33, एमआयडीसी, खामगांव, जिला- बुलडाणा, महाराष्ट्र राज्य	पूर्ववर्तित कंक्रीट पाइप (प्रबलन सहित और रहित)-विशिष्ट, भा.मा. 458 : 2003	27-3-2006

1	2	3	4	5
03.	7358583	मै. पूर्णा आरसीसी पाइप प्रॉडक्ट्स जलगांव-जामाद रोड, मु.पो. नीमगांव, ता. नांदुरा, जिला- बुलडाणा, महाराष्ट्र राज्य	पूर्वदलित कंक्रीट पाइप (प्रबलन सहित और रहित)-विशिष्ट, भा.मा. 458 : 2003	06-01-2006
04.	7484588	मै. खारा गैस इक्वीपमेंट प्रा.लि. खसरा नं. 60 एवं 61, ग्राम- बुरुजवाडा, ता. सावनेर, जिला- नागपुर, महाराष्ट्र राज्य	अल्प दाब द्रवणीय गैसों के लिए 5 लिटर से अधिक जलक्षमता वाले वेल्डित अल्प कार्बन इस्पात के सिलिंडर, भाग-1, द्रवित पेट्रोलियम गैस (एलपीजी) के लिए सिलिंडर-विशिष्ट, भा.मा. 3196 (भाग-1) : 1992	19-12-2005
05.	7488293	मै. सिन्टेक्स इंडस्ट्रीज लिमिटेड प्लॉट नं. बी-124, एमआरडीसी, बुटीबोरी, नागपुर-441122, जिला-नागपुर, महाराष्ट्र राज्य	पानी के भंडार हेतु प्लास्टिक टैंकियां-विशिष्ट, भा.मा. 12701 : 1996	31-05-2005

[संदर्भ : सीएमडी-1/13 : 13]

एस. एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 19th July, 2006

S.O. 2902.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled with effect from the date indicated against each :

SCHEDULE

Sl. No.	Licence No.	Name and address of the licensee	Article/process with relevant Indian Standard covered by the Licence	Date of cancelled
01	1103722	M/s. Reaselack Polymers Pvt. Ltd., Plot No. A-37, MIDC Area, District-Wardha 442006 Maharashtra	Unplasticized PVC pipes for potable water supplies IS 4985 : 2000	21-07-2005
02	7015654	M/s. Shree Gajanan Concrete Products Plot No. D-29 & 33, MIDC, Khamgaon, District- Buldhana, State : Maharashtra	Precast concrete pipes (with and without reinforcement) IS 458 : 1988	27-03-2006
03	7358583	M/s. Purna RCC pipe Products Jalgaon-Jamod Road, At Post Nimgaon, Taluka-Nandura, District-Buldhana State : Maharashtra	Precast concrete pipes (With and without reinforcement) IS 458 : 1988	06-01-2006
04	7484588	M/s. Khara Gas Equipment Pvt. Ltd., Khasra No 60 & 61, Gram- Burujiwada, Taluka-Saoner, District-Nagpur, State : Maharashtra	Welded low carbon steel cylinders exceeding 5 litre water capacity for low pressure liquefiable gases part 1 : cylinders for liquefied petroleum gases (LPG) IS 3196 : Part : 1992	19-12-2005
05	7488293	M/s. Sintex Industries Limited Plot No. B-124, MIDC, Butibori Nagpur-441122, District-Nagpur State Maharashtra	Rotational moulded polyethylene Water storage tanks IS 12701 : 1996	31-05-2005

[Ref. CMD-1/13 : 13]

S. M. BHATIA, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2903.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर.ओ.यू. पाइप लाइन "पी.ओ.डी.सी. से पोन्नामंडा ई.पी.एस." तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते, हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, राजामन्दि एसट/के.जी. बेसिन, ओ.एन.जी.सी., गोदावारि भवन, राजामन्दि आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा;

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

आर.ओ.यू. पाइप लाइन : पी.ओ.डी.सी. से पोन्नामंडा ई. पी. एस

राज्य जिले	आन्ध्र प्रदेश पूर्व गोदावरी	मंडल गांव	राजोल पोन्नामंडा	आर. एस. नं	हेक्टेर्स	एर्स	सेन्टीएर्स	एकड़	सेन्ट्स
1	2	3	4	5	6				
498/पी	0	05	0	0	12				
House site patta	0	02	5	0	06				
6/1पी	0	06	5	0	16				
6/1& 6/5	0	09	0	0	22				
250/12पी	0	03	0	0	08				
250/12पी	0	06	5	0	16				
250/13पी	0	07	5	0	18				
249/1पी	0	05	5	0	14				
249/5पी 6p	0	04	0	0	10				
247/पी	0	02	0	0	05				
243/10पी	0	00	5	0	01½				
243/10पी	0	00	5	0	01½				
243/7पी	0	01	5	0	04½				
243/6पी	0	03	0	0	07½				

1	2	3	4	5	6
243/5पी	0	03	0	0	07½
243/3पी	0	03	0	0	07½
243/1पी	0	03	0	0	07½
244/3पी	0	03	5	0	09
244/2पी	0	02	5	0	06
244/1पी	0	08	0	0	20
238/2पी	0	08	0	0	20
250/पी	0	02	0	0	05
योग :	0	92	5	2	29½

[सं. 12016/26/2006-ओएनजी/III-IV]

ओ.पी. बनवारी, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 11th July, 2006

S.O. 2903.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from "PODC to Ponnamanda EPS" in the A.P. State pipeline should be laid by the Oil and Natural Gas Corporation Ltd. ;

And whereas it appears that for the purpose of laying such pipe line, it is necessary to acquire the right of user in the land described in the schedule annexed here to;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users) in the Land, Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said And may object within 21 days from the date of this notification, to laying the pipe line under the land to the Competent Authority Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh;

And every person making such an objection shall also state specifically whether he wished to be heard in persons or by legal Practitioner.

SCHEDULE**ROU PIPE LINE FROM PODC TO PONNAMANDA EPS**

State District	Andhra Pradesh East Godavari	Mandal Village	Razole Ponnamanda	R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6				
498/p	0	05	0	0	12				
House site patta	0	02	5	0	06				
6/1p	0	06	5	0	16				

1	2	3	4	5	6
6/4& 6/5	0	09	0	0	22
250/12p	0	03	0	0	08
250/12p	0	06	5	0	16
250/13p	0	07	5	0	18
249/1p	0	05	5	0	14
249/5p 6p	0	04	0	0	10
247/p	0	02	0	0	05
243/10p	0	00	5	0	01½
243/10p	0	00	5	0	01½
243/7p	0	01	5	0	04½
243/6p	0	03	0	0	07½
243/5p	0	03	0	0	07½
243/3p	0	03	0	0	07½
243/1p	0	03	0	0	07½
244/3p	0	03	5	0	09
244/2p	0	02	5	0	06
244/1p	0	08	0	0	20
238/2p	0	08	0	0	20
250/p	0	02	0	0	05
Total	0	92	5	2	29½

[No. 12016/26/2006/ONG/III-IV]

O.P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2904.—यतः केन्द्रीय सरकार को यह प्रतीत होता है, कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर. ओ. यू. पाइप लाइन के डब्ल्यू. डी. एच. से केसानापाल्ली-2 तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाबद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, राजामन्दि एसट/के. जी.बेसिन, ओ.एन.जी.सी., गोदावरी भवन, राजामन्दि, आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा;

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची					
आर.ओ.यू. पाइप लाइन के. डब्ल्यू. डी. एच. से केसानापाल्ली-2					
राज्य	आन्ध्र प्रदेश	मंडल	मलिकीपुराम		
जिले	पूर्व गोदावरी	गांव	तुरुपुपालेम		
आर. एस. नं.	हेक्टे-एस	एस सेंटीएस	एकड़	सेंट्स	
1	2	3	4	5	6
572/1पी	0	09	5	0	24
572/2पी	0	01	0	0	02½
572/3पी	0	00	5	0	01½
571/11पी	0	00	5	0	01½
572/4पी	0	01	0	0	02
572/5पी	0	01	0	0	02
572/6पी	0	00	5	0	01
572/7पी	0	00	5	0	01
572/8पी	0	00	5	0	01½
572/9पी	0	01	0	0	03½
572/10पी	0	01	0	0	02½
572/11पी	0	00	5	0	01½
572/12पी	0	01	0	0	03
572/13पी	0	00	5	0	01½
572/14पी	0	01	0	0	02½
572/15पी	0	00	5	0	01½
572/16पी	0	01	0	0	02½
572/17पी	0	01	0	0	02½
571/21पी	0	03	5	0	09
571/1पी	0	01	5	0	04½
571/2पी	0	00	5	0	01½
571/3पी	0	00	5	0	01½
571/4पी	0	01	0	0	02
571/6पी	0	01	0	0	03½
571/5पी	0	01	0	0	03½
571/7पी	0	01	0	0	03
571/8पी	0	01	0	0	03½
571/9पी	0	01	0	0	03
571/10पी	0	02	0	0	05
571/12पी	0	00	5	0	01½
571/13पी	0	01	0	0	02
571/14पी	0	02	5	0	06½
571/15पी	0	02	5	0	06½
571/16पी	0	02	5	0	06½

1	2	3	4	5	6
571/17पी	0	02	5	0	06½
571/18पी	0	01	0	0	02½
571/19पी	0	01	0	0	02½
571/20पी	0	03	0	0	08
570/1पी	0	02	5	0	06½
570/2पी	0	02	0	0	05
570/3पी	0	01	5	0	04
570/4पी	0	01	5	0	04
570/5पी	0	01	5	0	04
570/6पी	0	01	5	0	04
570/7पी	0	03	0	0	08½
जोड़:	0	71	0	1	76½

[सं. 12016/27/2006-ओएनजी III-IV]

ओ. पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S. O. 2904.—Whereas, it appears to the Central Government that is necessary in the public interest that for the transport of petroleum from “KWDH to Kesanapalli-2” in the A.P. State pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (I) of the Section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of Users in the land Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may object within 21 days from the date of this notification to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd. Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And, every person making such any objections shall also state specifically whether he wished to be heard in persons or by legal Practitioner.

SCHEDULE
ROU PIPELINE FROM KWDH TO
KESANAPALLI—2

State	Andhra Pradesh	Mandal	Malikipuram		
District	East Godavari	Village	Turupupalem		
R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
572/1p	0	09	5	0	24
572/2P	0	01	0	0	02½
572/3p	0	00	5	0	01½
571/1p	0	00	5	0	01½

1	2	3	4	5	6
572/4p	0	01	0	0	02
572/5p	0	01	0	0	02
572/6p	0	00	5	0	01
572/7p	0	00	5	0	01
572/8p	0	00	5	0	01½
572/9p	0	01	0	0	03½
572/10p	0	01	0	0	02½
572/11p	0	00	5	0	01½
572/12p	0	01	0	0	03
572/13p	0	00	5	0	01½
572/14p	0	01	0	0	02½
572/15p	0	00	5	0	01½
572/16p	0	01	0	0	02½
572/17p	0	01	0	0	02½
571/21p	0	03	5	0	09
571/1p	0	01	5	0	04½
571/2p	0	00	5	0	01½
571/3p	0	00	5	0	01½
571/4p	0	01	0	0	02
571/6p	0	01	0	0	03½
571/5p	0	01	0	0	03½
571/7p	0	01	0	0	03
571/8p	0	01	0	0	03½
571/9p	0	01	0	0	03
571/10p	0	02	0	0	05
571/12p	0	00	5	0	01½
571/13p	0	01	0	0	02
571/14p	0	02	5	0	06½
571/15p	0	02	5	0	06½
571/16p	0	02	5	0	06½
571/17p	0	02	5	0	06½
571/18p	0	01	0	0	02½
571/19p	0	01	0	0	02½
571/20p	0	03	0	0	08
570/1p	0	02	5	0	06½
570/2p	0	02	0	0	05
570/3p	0	01	5	0	04
570/4p	0	01	5	0	04
570/5p	0	01	5	0	04
570/6p	0	01	5	0	04
570/7p	0	03	0	0	08½
Total :	0	71	0	1	76½

[No. 12016/27/2006-ONG/III-IV]

O. P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2905.—यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर. ओ.यू. पाइप लाइन आर. ये. ये. सी. से पासारलापुडी-29 तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, अतः, यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग राजामन्दि एसए/के. जी.बेसिन, ओ.एन.जी.सी. गोदावरी भवन, राजामन्दि, आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और, ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर. ओ. यू. पाइप लाईन आर. ये. ये. सी. से

पासरलापुडी-29

राज्य :	आन्ध्र प्रदेश	मंडल :	अमलापुराम		
जिले :	पूर्व गोदावरी	गांव :	छिन्दडागरु		
आर. एस. नं	हेक्टे- एर्स	एर्स	सेन्टीएर्स	एकड़	सेन्ट्स
1	2	3	4	5	6.
594/13पी	0	01	0	0	01½
594/10	0	01	0	0	02
594/12	0	04	5	0	11
593/5पी	0	03	0	0	07
578/2बी	0	01	0	0	02
578/2ए	0	05	5	0	13
577/3बी	0	02	0	0	05
577/3ए	0	02	5	0	06
577/2	0	02	0	0	04½
577/1	0	01	0	0	03
574/2पी	0	02	0	0	05
574/1ए	0	02	0	0	05
574/1बी	0	02	0	0	05
574/1सी	0	02	0	0	05
563/2	0	03	0	0	06½
563/1	0	01	0	0	03
568/2	0	02	0	0	05
568/1	0	04	0	0	10
565/1पी	0	05	5	0	14
565/2	0	10	0	0	25
566/1ए	0	05	0	0	12
566/1बी	0	09	5	0	22½
566/2पी	0	01	5	0	04

1	2	3	4	5	6
592/पी	0	09	0	0	22
579/पी	0	06	5	0	16
573/पी	0	12	0	0	30
564/पी	0	03	0	0	07
1/3	0	01	0	0	02½
योग :	1	04	5	2	54½
राज्य :	आन्ध्र प्रदेश	मंडल :	अमलापुराम		
जिले :	पूर्व गोदावरी	गांव :	छिन्दडागरु		
आर. एस. नं	हेक्टे-एर्स	एर्स सेन्टीएर्स	एकड़	सेन्ट्स	
1	2	3	4	5	6
3/1पी	0	07	5	0	19
2/पी	0	07	5	0	17½
3/5पी	0	03	5	0	09
13/1	0	02	0	0	04½
18/1पी	0	02	0	0	05
18/2पी	0	01	0	0	03
19/5पी	0	01	0	0	03
19/6पी	0	01	0	0	02
19/7पी	0	02	5	0	06
19/8पी	0	03	5	0	09
20/पी	0	03	0	0	07
26/पी	0	01	0	0	02
25/पी	0	15	5	0	38
Total :	0	51	0	1	25
राज्य :	आन्ध्र प्रदेश	मंडल :	अमलापुराम		
जिले :	पूर्व गोदावरी	गांव :	छिन्दडागरु		
आर. एस. नं	हेक्टे-एर्स	एर्स सेन्टीएर्स	एकड़	सेन्ट्स	
1	2	3	4	5	6
27/1पी	0	05	0	0	12
27/2पी	0	01	5	0	04
27/1एपी	0	01	5	0	04
27/8ए	0	01	0	0	03
27/8बी	0	01	5	0	04
27/8सी	0	01	5	0	04
32/1पी	0	01	5	0	04
32/2पी	0	07	0	0	16½
33/1पी	0	00	5	0	01
37/6पी	0	03	5	0	09
37/7पी	0	03	5	0	09
37/9पी	0	01	0	0	03
37/8एपी	0	02	0	0	05
37/8बीपी	0	03	0	0	07
39/4सी	0	05	0	0	12
39/4डी	0	04	0	0	10
40/1पी	0	03	0	0	07
40/2एपी	0	02	5	0	06

1	2	3	4	5	6
213/पी	0	03	5	0	09
212/1ए	0	00	5	0	01
212/1बी	0	02	5	0	06
212/2ए	0	04	0	0	09½
212/2बी	0	04	0	0	10
212/3पी	0	00	5	0	01
210/1सी	0	00	5	0	01
210/3पी	0	05	0	0	12
209/3पी	0	09	5	0	24
205/1पी	0	01	0	0	02
199/3पी	0	02	0	0	05
199/4एपी	0	03	0	0	07
201/पी	0	00	5	0	01
199/2पी	0	03	0	0	08
199/4डीपी	0	02	5	0	06
199/4एफपी	0	01	0	0	03
199/4जीपी	0	00	5	0	01
199/5पी	0	01	0	0	03
187/2ए	0	02	5	0	06
187/2बी	0	03	0	0	07
187/3पी	0	05	0	0	12
187/4पी	0	01	0	0	02
187/7पी	0	01	0	0	02
योग :	1	05	5	2	59

[सं. 12016/31/2006-ओ एन जी III-IV]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S. O. 2905.—Whereas it appears to the Central Government that is necessary in the public interest that for the transport of petroleum from “RAAC to PSP-29” in the A.P. state pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto :—

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And every person making such an objections shall also state specifically whether he wished to be hear in persons or by legal Practitioner.

SCHEDULE**ROU PIPE LINE FROM RAAC TO PASARLAPUD/29**

State : Andhra Pradesh Mandal : Amalapuram
District : East Godavari Village : Chintadagaruvu

R. S. No.	Hectares	Ares	Centiares	Acres	Cents
594/13p	0	01	0	0	01½
594/10	0	01	0	0	02
594/12	0	04	5	0	11
593/5p	0	03	0	0	07
578/2B	0	01	0	0	02
578/2A	0	05	5	0	13
577/3B	0	02	0	0	05
577/3A	0	02	5	0	06
577/2	0	02	0	0	04½
577/1	0	01	0	0	03
574/2p	0	02	0	0	05
574/1A	0	02	0	0	05
574/1B	0	02	0	0	05
574/1C	0	02	0	0	05
563/2	0	03	0	0	06½
563/1	0	01	0	0	03
568/2	0	02	0	0	05
568/1	0	04	0	0	10
565/1p	0	05	5	0	14
565/2	0	10	0	0	25
566/1A	0	05	0	0	12
566/1B	0	09	5	0	22½
566/2p	0	01	5	0	04
592/p	0	09	0	0	22
579/p	0	06	5	0	16
573/p	0	12	0	0	30
564/p	0	03	0	0	07
1/3	0	01	0	0	02½
Total :	1	04	5	2	54½

State : Andhra Pradesh Mandal : Amalapuram
District : East Godavari Village : Immidivasappadu

R. S. No.	Hectares	Ares	Centiares	Acres	Cents
3/1p	0	07	5	0	19
2/p	0	07	5	0	17½
3/5p	0	03	5	0	09
13/1	0	02	0	0	04½

1	2	3	4	5	6
18/1p	0	02	0	0	05
18/2p	0	01	0	0	03
19/5p	0	01	0	0	03
19/6p	0	01	0	0	02
19/7p	0	02	5	0	06
19/8p	0	03	5	0	09
20/p	0	03	0	0	07
26/p	0	01	0	0	02
25/p	0	15	5	0	38
Total :	0	51	0	1	25

State : Andhra Pradesh Mandal : Amalapuram
District : East Godavari Village : Gudala

R. S. No.	Hectares	Ares	Centiares	Acres	Cents
27/1p	0	05	0	0	12
27/2p	0	01	5	0	04
27/1Ap	0	01	5	0	04
27/8A	0	01	0	0	03
27/8B	0	01	5	0	04
27/8C	0	01	5	0	04
32/1p	0	01	5	0	04
32/2p	0	07	0	0	16½
33/1p	0	00	5	0	01
37/6p	0	03	5	0	09
37/7p	0	03	5	0	09
37/9p	0	01	0	0	03
37/8Ap	0	02	0	0	05
37/8Bp	0	03	0	0	07
39/4c	0	05	0	0	12
39/4d	0	04	0	0	10
40/1p	0	03	0	0	07
40/2Ap	0	02	5	0	06
213/p	0	03	5	0	09
212/1A	0	00	5	0	01
212/1B	0	02	5	0	06
212/2A	0	04	0	0	09-1/2
212/2B	0	04	0	0	10
212/3p	0	00	5	0	01
210/1C	0	00	5	0	01
210/3p	0	05	5	0	12
209/3p	0	09	5	0	24
205/1p	0	01	0	0	02
199/3p	0	02	0	0	05
199/4Ap	0	03	0	0	07
201/p	0	00	5	0	01
199/2p	0	03	0	0	08
199/4Dp	0	02	5	0	06
199/4Fp	0	01	0	0	03
199/4Gp	0	00	5	0	01
199/5p	0	01	0	0	03

187/2A	0	02	5	0	06
187/2B	0	03	0	0	07
187/3p	0	05	0	0	12
187/4p	0	01	0	0	02
187/7p	0	01	0	0	02
TOTAL	1	05	5	2	59

[No. 12016/31/2006-ONG/III-IV]

O. P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2906.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर.ओ.यू. पाइप लाइन मोरी से ताटीपाका जी.सी.एस. तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, राजामोन्दि एस्टेट/के. जी. बेसिन. ओ.एन.जी.सी. गोदावरी भवन, राजामोन्दि, आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप-से हो या किसी विधि व्यवसायी की मार्फत हो।

अनुसूची

आर.ओ.यू. पाइप लाइन : मोरी से ताटीपाका जी.सी.एस.

राज्य :	आन्ध्र प्रदेश	मंडल :	राजोतु		
जिला :	पूर्व गोदावारी	गांव :	सिवाकोडु		
आर. एस. नं.	हेक्टेयर्स	एर्स	सेन्टेयर्स	एकड़	सेन्ट्स
531/2	0	02	5	0	06
531/3	0	02	5	0	06
531/4	0	03	0	0	07
531/5	0	03	0	0	07
531/6	0	03	0	0	08
530/2	0	07	5	0	19
योग	0	21	5	0	53

[सं. 12016/35/2006-ओ एन जी/III-IV]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2906.—Whereas it appears to the Central Government that is necessary in the public interest that for the transport of petroleum from "MORI to TATIPAKA GCS" in the A.P. State pipeline should be laid by the Oil and Natural Gas Corporation Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd. Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And every person making such an objections shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

ROU PIPE LINE FROM MORI to TATIPAKA GCS

State : Andhra Pradesh	Mandal : Razole
District : East Godavari	Village : Sivakodu

R.S.No.	Hectares	Ares	Centi ares	Acres	Cents
531/2	0	02	5	0	06
531/3	0	02	5	0	06
531/4	0	03	0	0	07
531/5	0	03	0	0	07
531/6	0	03	0	0	08
530/2	0	07	5	0	19
TOTAL	0	21	5	0	53

[No. 12016/35/2006-ONG/III-IV]

O. P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2907.—केन्द्रीय सरकार को पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 751 तारीख 23-02-2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में ओ.एन.जी.सी. के जी. बेसिन, राजामंद्री एक्ट द्वारा आन्ध्र प्रदेश राज्य में कैकालुरु ई.पी.एस. से लिंगाला ई.पी.एस. परियोजना तक माध्यम से गैस के परिवहन के लिये

पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 14-7-05 से उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइप लाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिये उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली ओ.एन.जी.सी. में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग के अधिकार, इस प्रकार अधिरोहित निबंधनों और शर्तों के अधीन होते हुए, सभी विल्लंगमों से मुक्त ओ.एन.जी.सी., के के.जी. बेसिन, राजामंद्री एक्ट में निहित होगा।

अनुसूची

आर. ओ. यू. पाइप लाइन : कैकालुरु ई. पी. एस. से
लिंगाला ई.पी.एस.

राज्य :	आन्ध्र प्रदेश	मंडल :	मुदेनेपल्ली		
जिले :	कृष्णा	गांव :	चिगुरुकोटा		
आर. एस. नं.	हेकटेर्स	एर्स	सेन्टेर्स	एकड़	सेन्टस
1	2	3	4	5	6
375/1डीपीटी	0	02	5	0	06
375/2ई 2	0	02	0	0	05
387/1सी4पी	0	01	0	0	02
375/3ई 2	0	01	0	0	03
382/1बी	0	01	0	0	02
387/1सी4	0	01	0	0	03
375/3ई2बीपी	0	01	0	0	02
382/5बी1	0	00	5	0	01
382/4डी1	0	01	0	0	02
380/1ए1	0	00	5	0	01
382/4ए1	0	02	0	0	05

1	2	3	4	5	6
382/5ए	0	00	5	0	01
380/2A	0	01	0	0	02
380/1बी1	0	00	5	0	01
382/4सी1	0	01	0	0	02
योग	0	15	5	0	38
21/1ए1ए	0	01	0	0	02
21/1ए2ए	0	00	5	0	01
21/1ए4ए	0	00	5	0	01
21/1ए5ए	0	00	5	0	01
23/1ए	0	00	5	0	01
23/1सी1	0	00	5	0	01
23/2ए	0	00	5	0	01
23/3ए	0	00	5	0	01
23/4ए	0	00	5	0	01
23/5ए	0	00	5	0	01
23/5बी1	0	00	5	0	01
23/5सी1	0	01	5	0	02
23/5डी1	0	01	5	0	02
23/5ई1	0	00	5	0	005
23/5ई3	0	00	5	0	01
24/2ए	0	03	0	0	07
24/1बी	0	01	0	0	03
24/1सी	0	01	0	0	02
24/2बी	0	03	0	0	07
24/3ए	0	03	0	0	08
24/3बी	0	06	0	0	15
24/3डी	0	05	5	0	13
94/2ए	0	03	0	0	08
94/6बी	0	03	0	0	07
94/7पी	0	03	0	0	07
94/4ए	0	03	0	0	07
97/4बी	0	01	5	0	04
97/5पी	0	05	5	0	13
97/6पी	0	04	5	0	11
97/8पी	0	05	0	0	12
100/4	0	06	0	0	15
122/1पी	0	08	0	0	20
123/4	0	05	5	0	14
125/1ए	0	01	0	0	02
123/3	0	04	0	0	10
125/1बी	0	05	5	0	14
24/3सी	0	02	0	0	05
94/2ए2	0	01	5	0	04

1	2	3	4	5	6
94/6ए	0	01	3	0	03
123/2	0	03	5	0	09
125/3बी	0	06	5	0	16
126/1ए	0	03	0	0	07
122/4पी	0	08	0	0	20
123/1	0	03	5	0	09
126/1बी	0	03	0	0	08
126/2ए	0	07	5	0	19
126/2बी	0	07	5	0	18
योग	1	35	0	3	345
राज्य : आन्ध्र प्रदेश मंडल : मुदेनेपल्ली					
जिले : कृष्णा गांव : पेदाकामानापुडि					
आर. एस. नं.	हेक्टेयर्स	एस	सेन्टेयर्स	एकड़	सेन्ट्स
7/1	0	07	5	0	19
7/2	0	09	5	0	23
19/1ए	0	06	0	0	15
19/1बी	0	06	0	0	15
7/3	0	09	5	0	23
19/2	0	12	5	0	31
21/1ए	0	03	0	0	08½
21/1बी	0	03	0	0	08½
21/1सी	0	07	0	0	17
33/पी	0	14	5	0	36
32/1	0	30	0	0	74
32/2	0	14	5	0	36
32/3	0	18	0	0	45
32/4	0	11	5	0	28
30/1ए	0	07	0	0	17
31/P	0	14	5	0	36
30/1बी	0	07	0	0	17
30/2ए	0	07	0	0	17
30/2बी	0	07	0	0	17
156/1	0	07	0	0	17
156/2	0	04	0	0	10
156/3	0	07	0	0	17
156/4	0	14	5	0	36
161/1	0	09	5	0	24
161/2	0	06	5	0	16
161/3	0	07	5	0	19
161/4	0	08	0	0	20
166/1बी	0	06	0	0	15

1	2	3	4	5	6
166/2पी	0	02	5	0	06
166/3पी	0	03	0	0	07
166/1ए	0	06	0	0	15
166/4ए	0	10	5	0	26
166/4बी	0	06	0	0	16
168/1ए	0	04	0	0	10
165/1बी	0	13	5	0	33
165/2	0	05	5	0	13
165/3	0	01	0	0	04
165/4	0	02	0	0	05
165/5	0	02	0	0	05
165/6	0	02	0	0	05
165/7	0	02	0	0	05
योग	3	26	5	8	07

राज्य :	आन्ध्र प्रदेश	मंडल :	मुदेनेपल्ली
जिले :	कृष्णा	गांव :	वाडालि

आर. एस. नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्टस
3/पी	0	09	5	0	24
6/5ए	0	03	5	0	09
29/1पी	0	10	0	0	25½
6/5बी	0	04	5	0	11
6/8पी	0	02	5	0	06
32/12ए	0	02	5	0	06
7/3ए	0	02	5	0	06
7/3बी	0	02	0	0	05
7/2	0	05	5	0	13
8/7	0	11	5	0	28
9/पी	0	08	5	0	21
11/पी	0	07	5	0	19
12/पी	0	11	5	0	29
20/2पी	0	05	0	0	12
20/1पी	0	05	5	0	14
20/5	0	07	0	0	17
22/1पी	0	21	5	0	53
31/2ए	0	09	5	0	23
31/5ए	0	02	0	0	05
32/7ए	0	01	0	0	03
32/7पी	0	01	0	0	03
33/9बी	0	01	0	0	03
32/8बी	0	01	0	0	03
32/11ए	0	01	0	0	03
32/11बी	0	01	0	0	03

I	2	3	4	5	6
81/1ए	0	03	5	0	09
81/3पी	0	05	5	0	13½
82/1बी	0	02	5	0	06
82/6बी	0	03	0	0	07
84/3ए	0	02	0	0	06
84/4ए	0	02	0	0	06
85/7ए	0	01	0	0	03
66/2ए	0	02	0	0	05
67/2ए	0	03	0	0	08
70/1बी	0	03	0	0	08
70/2ए	0	01	0	0	02
70/3ए	0	01	5	0	04
70/4ए	0	01	5	0	04
72/4	0	01	5	0	04
72/6	0	01	0	0	02
201/1सी	0	03	0	0	08
69/1ए	0	03	0	0	08
66/2ए	0	02	0	0	05
65/1ए	0	01	0	0	02
योग	1	84	0	4	55

राज्य :	आन्ध्र प्रदेश	मंडल :	मुदेनेपल्ली
जिले :	कृष्णा	गांव :	चेवुरु

आर. एस. नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्टस
35/3	0	06	0	0	15
33/3सी	0	04	5	0	11
36/2सी	0	04	0	0	10
38/1सी	0	00	5	0	01
38/2सी	0	02	0	0	05
योग	0	17	0	0	42

[फा. 12016/29/2006-ओएनजी-III]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2907.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 751 dated 23-02-2005 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that Notification for the purpose of laying pipe line **KAIKALURU EPS to LINGALA EPS** in the

State of Andhra Pradesh, a pipeline should be laid by the ONGC—RJY;

And whereas copies of the said Gazette Notifications were made available to the public on 14-7-2005;

And whereas no objections have been received from the public to laying of the pipeline by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report decided to acquire the Right of User in the lands specified in the Schedule.

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedules appended to this Notification is hereby acquired for laying the pipe line;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of this declaration, in the ONGC, K.G. Project/Rajahmundry Asset, free from encumbrances.

SCHEDULE

ROU PIPELINE FROM KAIKALURU EPS TO LINGALA EPS

State : Andhra Pradesh	Mandal : Mudunepalli				
District : Krishna	Village : Chigurukota				
R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
375/1Dpt	0	02	5	0	06
375/2E2	0	02	0	0	05
387/1C4P	0	01	0	0	02
375/3E2	0	01	0	0	03
382/1B	0	01	0	0	02
387/1C4	0	01	0	0	03
375/3E2Bp	0	01	0	0	02
382/5B1	0	00	5	0	01
382/4D1	0	01	0	0	02
380/1A1	0	00	5	0	01
382/4A1	0	02	0	0	05
382/5A1	0	00	5	0	01
380/2A	0	01	0	0	02
380/1B1	0	00	5	0	01
382/4C1	0	01	0	0	02
Total:	0	15	5	0	38

State : Andhra Pradesh
District : Krishna

Mandal : Mudunepalli
Village : Chinakam-
anapudi

R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
21/1A1A	0	01	0	0	02
21/1A2A	0	00	5	0	01
21/1A4A	0	00	5	0	01
21/1A5A	0	00	5	0	01
23/1A1	0	00	5	0	01
23/1C1	0	00	5	0	01
23/2A	0	00	5	0	01
23/3A	0	00	5	0	01
23/4A	0	00	5	0	01
23/5A1	0	00	5	0	01
23/5B1	0	00	5	0	01
23/5C1	0	01	0	0	02
23/5D1	0	01	0	0	02
23/5E1	0	00	5	0	0.005
23/5E3	0	00	5	0	01
24/2A	0	03	0	0	07
24/1B	0	01	0	0	03
24/1C	0	01	0	0	02
24/2B	0	03	0	0	07
24/3A	0	03	0	0	08
24/3B	0	06	0	0	15
24/3D	0	05	5	0	13
94/2A1	0	03	0	0	08
94/6B	0	03	0	0	07
94/7P	0	03	0	0	07
97/4A	0	03	0	0	07
97/4B	0	01	5	0	04
97/5P	0	05	5	0	13
97/6P	0	04	5	0	11
97/8P	0	05	0	0	12
100/4	0	06	0	0	15
122/1P	0	08	0	0	20
123/4	0	05	5	0	14
125/1A	0	01	0	0	02
123/3	0	04	0	0	10
125/1B	0	05	5	0	14
24/3C	0	02	0	0	05
94/2A2	0	01	5	0	04
94/6A	0	01	0	0	03
123/2	0	03	5	0	09
125/3B	0	06	5	0	16
126/1A	0	03	0	0	07
122/4P	0	08	0	0	20

1	2	3	4	5	6
123/1	0	03	5	0	09
126/1B	0	03	0	0	08
126/2A	0	07	5	0	19
126/2B	0	07	5	0	18
Total	1	35	0	3	345

State : Andhra Pradesh Mandal : Mudanepalli
District : Krishna Village : Pedakamanapudi

R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
7/1	0	07	5	0	19
7/2	0	09	5	0	23
19/1A	0	06	0	0	15
19/1B	0	06	0	0	15
7/3	0	09	5	0	23
19/2	0	12	5	0	31
21/1A	0	03	0	0	08½
21/1B	0	03	0	0	08½
21/1C	0	07	0	0	17
33/P	0	14	5	0	36
32/1	0	30	0	0	74
32/2	0	14	5	0	36
32/3	0	18	0	0	45
32/4	0	11	5	0	28
30/1A	0	07	0	0	17
31/P	0	14	5	0	36
30/1B	0	07	0	0	17
30/2A	0	07	0	0	17
30/2B	0	07	0	0	17
156/1	0	07	0	0	17
156/2	0	04	0	0	10
156/3	0	07	0	0	17
156/4	0	14	5	0	36
161/1	0	09	5	0	24
161/2	0	06	5	0	16
161/3	0	07	5	0	19
161/4	0	08	0	0	20
166/1B	0	06	0	0	15
166/2P	0	02	5	0	06
166/3P	0	03	0	0	07
166/1A	0	06	0	0	15
166/4A	0	10	5	0	26
166/4B	0	06	0	0	16
168/1A	0	04	0	0	10
165/1B	0	13	5	0	33
165/2	0	05	5	0	13
165/3	0	01	0	0	04
165/4	0	02	0	0	05
165/5	0	02	0	0	05
165/6	0	02	0	0	05
165/7	0	02	0	0	05
Total	3	26	5	8	07

State : Andhra Pradesh Mandal : Mudanepalli
District : Krishna Village : Vadali

R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
3/P	0	09	5	0	24
6/5A	0	03	5	0	09
29/1P	0	10	0	0	25½
6/5B	0	04	5	0	11
6/8P	0	02	5	0	06
32/12A	0	02	5	0	06
7/3A	0	02	5	0	06
7/3B	0	02	0	0	05
7/2	0	05	5	0	13
8/7	0	11	5	0	28
9/P	0	08	5	0	21
11/P	0	07	5	0	19
12/P	0	11	5	0	29
20/2P	0	05	0	0	12
20/1P	0	05	5	0	14
20/5	0	07	0	0	17
22/1P	0	21	5	0	53
31/2A	0	09	5	0	23
31/5A	0	02	0	0	05
32/7A	0	01	0	0	03
32/7P	0	01	0	0	03
33/9B	0	01	0	0	03
32/8B	0	01	0	0	03
32/11A1	0	01	0	0	03
32/11B2	0	01	0	0	03
81/1A	0	03	5	0	09
81/3P	0	05	5	0	13½
82/1B	0	02	5	0	06
82/6B	0	03	0	0	07
84/3A	0	02	0	0	06
84/4A	0	02	0	0	06
85/7A	0	01	0	0	03
66/2A	0	02	0	0	05
67/2A	0	03	0	0	08
70/1B1	0	03	0	0	08
70/2A1	0	01	0	0	02
70/3A1	0	01	5	0	04
70/4A1	0	01	5	0	04
72/4	0	01	5	0	04
72/6	0	01	0	0	02
201/1C	0	03	0	0	08
69/1A	0	03	0	0	08
66/2A	0	02	0	0	05
65/1A	0	01	0	0	02
Total	1	84	0	4	55

State : Andhra Pradesh		Mandal : Mudanepalli			
District : Krishna		Village : Chevuru			
R.S. No.	Hectares	Ares	Centiares	Acres	Cents
35/3	0	06	0	0	15
33/3C	0	04	5	0	11
36/2C	0	04	0	0	10
38/1C	0	00	5	0	01
38/2C	0	02	0	0	05
Total	0	17	0	0	42

[No. 12016/29/2006-ONG-III]

O. P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2908.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में आर. ओ. यू. पाइपलाइन केसानापाल्ली-9 से केसानापाल्ली जी.सी.एस. तक पेट्रोलियम के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, अतः, यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग राजामोन्दि एसट/के. जी. बेसिन. ओ.एन.जी.सी. गोदावरी भवन, राजामोन्दि, आंध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधी व्यवसायी की मार्फत हो।

अनुसूची

आर. ओ. यू. पाइपलाइन : केसानापाल्ली-9 से
केसानापाल्ली जी.सी.एस.

राज्य :	आंध्र प्रदेश	मंडल :	मामीडीकुदुरु		
जिला :	पूर्व गोदावरी	गांव :	कारावाका		
			H/o		
			गोगानापतम		
आर. एस. नं.	हेक्टेरस	एर्स	सेन्टेएर्स	एकड	सेन्टस
1	2	3	4	5	6
382/5बी, 6बी, 9बी	0	06	0	0	15
382/3बी	0	03	0	0	075
382/2डी	0	03	5	0	095

1	2	3	4	5	6
382/2बी	0	03	5	0	09
382/2ए	0	03	5	0	095
382/1बी	0	03	0	0	07
382/1ए	0	03	0	0	075
381/5ए	0	06	0	0	15
381/4डी	0	03	0	0	075
381/4सी	0	03	0	0	075
381/4बी	0	05	0	0	12
381/4ए	0	05	0	0	12
380/जे	0	03	0	0	07
381/3बी	0	03	05	0	095
331/3ए	0	04	5	0	11
381/2बी	0	07	0	0	17
380/के	0	01	0	0	02
380/2ए	0	01	5	0	045
380/आई	0	03	5	0	09
380/एच	0	02	0	0	05
380/जी	0	05	0	0	125
380/ई	0	01	0	0	035
380/डी	0	06	0	0	15
380/बी	0	02	5	0	055
380/ए	0	02	5	0	06
372/एच	0	02	5	0	055
372/ई	0	06	0	0	15
372/डी	0	03	0	0	07
372/सी	0	02	5	0	065
372/बी	0	04	5	0	115
372/ए	0	07	0	0	17
371/जी	0	08	5	0	21
371/एफ	0	06	0	0	15
371/ई	0	01	5	0	045
371/डी	0	02	5	0	06
371/बी	0	05	5	0	13
371/ए	0	08	0	0	20
369/3ए	0	17	5	0	13
369/बी	0	04	0	0	105
368/एच	0	04	0	0	10
368/सी	0	03	5	0	09
368/एफ	0	09	5	0	245
368/ई	0	10	0	0	255
368/डी	0	11	0	0	27
368/बी	0	07	0	0	17
368/ए	0	11	0	0	27
363/1एपी	0	24	5	0	60
363/2ए	0	04	5	0	115
362/2बी/ई	0	12	0	0	30
362/2बीडी	0	12	0	0	30
362/2बी/सी	0	05	5	0	145
362/2बीए	0	03	0	0	07
362/1एपी	0	03	0	0	08
योग	2	82	5	6	98

अनुसूची

आर. ओ. यु. पाइप लाइन : केसानापल्ली-9 से
केसानापल्ली जी.सी.एस.

राज्य :	आन्ध्र प्रदेश	मंडल :	मलीकीपुरम		
जिला :	पूर्व गोदावारी	गांव :	मोल्ल पालेम		
H/o					
केसानापल्ली					
आर. एस. नं	हेक्टेयर्स	एयर्स	सेन्टीयर्स	एकड़	सेन्ट्स
1	2	3	4	5	6
550/एम	0	01	0	0	02
550/एल	0	07	5	0	18
550/के	0	03	0	0	085
550/जे	0	03	0	0	085
550/आई	0	03	0	0	07
550/एच	0	03	0	0	07
550/जी	0	03	0	0	07
550/एफ	0	04	0	0	10
550/ई	0	03	0	0	075
550/डी	0	03	0	0	075
550/सी	0	11	0	0	27
550/बी	0	03	5	0	095
550/ए	0	05	0	0	12
556/जी	0	05	5	0	13
556/एफ	0	05	0	0	125
556/ई	0	03	5	0	095
556/डी	0	03	5	0	095
556/सी	0	05	5	0	145
556/बी	0	05	0	0	125
556/ए	0	10	0	0	25
557/आई	0	03	0	0	08
557/डी	0	03	0	0	08
557/जी	0	03	0	0	08
557/एच	0	03	0	0	08
557/सी	0	03	0	0	08
557/बी	0	03	0	0	08
557/एफ	0	03	0	0	08
557/ई	0	03	0	0	08
557/ए	0	10	0	0	25
558/ए	0	40	5	1	00
532/2P	0	23	0	0	69
TOTAL :	1	96	5	4	86

[सं. 12016/28/2006-ओ एन जी-III-IV]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2998.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from “Kesanapalli-9 To Kesanapalli GCS” in the A.P. State pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 to 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/ K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And every person making such any objections shall also state specifically whether he wished to be heard in person or by legal Practitioner.

SCHEDULE

ROU PIPELINE FROM KES/NAPALLI-9 TO
KESANAPALLI G.C.S.

State : Andhra Pradesh Mandal : Mamidikuduru
District : East Godavari Village : Karawaka

H/o
Gogannamatam

R.S.No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
382/5B, 6B, 9B	0	06	0	0	15
382/3B	0	03	0	0	075
382/2D	0	03	5	0	095
382/2B	0	03	5	0	09
382/2A	0	03	5	0	095
382/1B	0	03	0	0	07
382/1A	0	03	0	0	075
381/5A	0	06	0	0	15
381/4D	0	03	0	0	075
381/4C	0	03	0	0	075
381/4B	0	05	0	0	12
381/4A	0	05	0	0	12
380/J	0	03	0	0	07

1	2	3	4	5	6	1	2	3	4	5	6
381/3B	0	03	05	0	095	550/L	0	07	5	0	18
331/3A	0	04	5	0	11	550/K	0	03	0	0	085
381/2B	0	07	0	0	17	550/J	0	03	0	0	085
380/K	0	01	0	0	02	550/I	0	03	0	0	07
380/2A	0	01	5	0	045	550/H	0	03	0	0	07
380/I	0	03	5	0	09	550/G	0	03	0	0	07
380/H	0	02	0	0	05	550/F	0	04	0	0	10
380/G	0	05	0	0	125	550/E	0	03	0	0	075
380/E	0	01	0	0	035	550/D	0	03	0	0	075
380/D	0	06	0	0	15	550/C	0	11	0	0	27
380/B	0	02	5	0	055	550/B	0	03	5	0	095
380/A	0	02	5	0	06	550/A	0	05	0	0	12
372/H	0	02	5	0	055	556/G	0	05	5	0	13
372/E	0	06	0	0	15	556/F	0	05	0	0	125
372/D	0	03	0	0	07	556/E	0	03	5	0	095
372/C	0	02	5	0	065	556/D	0	03	5	0	095
372/B	0	04	5	0	115	556/C	0	05	5	0	145
372/A	0	07	0	0	17	556/B	0	05	0	0	125
371/G	0	08	5	0	21	556/A	0	10	0	0	25
371/F	0	06	0	0	15	557/I	0	03	0	0	08
371/E	0	01	5	0	045	557/D	0	03	0	0	08
371/D	0	02	5	0	06	557/G	0	03	0	0	08
371/B	0	05	5	0	13	557/H	0	03	0	0	08
371/A	0	08	0	0	20	556/C	0	03	0	0	08
369/3A	0	17	5	0	18	557/B	0	03	0	0	08
369/B	0	04	0	0	105	557/F	0	03	0	0	08
368/H	0	04	0	0	10	557/E	0	03	0	0	08
368/C	0	03	5	0	09	557/A	0	10	0	0	25
368/F	0	09	5	0	245	558/A	0	40	5	1	00
368/E	0	10	0	0	255	532/2P	0	28	0	0	69
368/D	0	11	0	0	27	TOTAL	1	96	5	4	86
368/B	0	07	0	0	17	[No. 12016/28/2006-ONG III-IV]					
368/A	0	11	0	0	27	O.P. BANWARI, Under Secy.					
363/1AP	0	24	5	0	60	नई दिल्ली, 11 जुलाई, 2006					
363/2A	0	04	5	0	115	का.आ. 2909.-यतः केन्द्रीय सरकार को यह प्रतीत होता है					
362/2B/E	0	12	0	0	30	कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर. ओ.					
362/2BD	0	12	0	0	30	यू. पाइप लाईन : अडाविपालेम-5 से अडाविपालेम ई.पी.एस. तक					
362/2B/C	0	05	5	0	145	पेट्रोलियम के लिये पाइप लाईन तेल तथा प्राकृतिक गैस आयोग द्वारा					
362/2BA	0	03	0	0	07	बिछाई जानी चाहिए।					
362/1AP	0	03	0	0	08	और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के					
550/M	0	01	0	0	02	प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का					
						अधिकार अर्जित करना आवश्यक है।					

अतः, अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग राजामोन्द्र एसए/के. जी. बेसिन ओ.एन.जी.सी. गोदावरी भवन, राजामोन्द्र, आंध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर. ओ. यू. पाइप लाइन : अडाविपालेम-5 से
अडाविपालेम ई.पी.एस.

राज्य :	आन्ध्र प्रदेश	मंडल :	मलिकिपुराम		
जिला :	पूर्व गोदावारी	गांव :	संकरागुप्तम		
आर. एस. नं	हेक्टेएस	एस	सेन्टीएस	एकड	सेन्ट्स
1	2	3	4	5	6
575/1पी	0	02	5	0	06
575/11बी	0	18	0	0	45
577/11ए	0	04	0	0	10
579/7बी	0	05	5	0	14
582/1डी	0	04	5	0	11
582/2पी	0	01	0	0	03
577/1बी	0	23	0	0	57
579/7ए	0	05	5	0	14
579/2ए	0	06	5	0	16
579/1पी	0	16	0	0	40
580/7पी	0	18	5	0	46
582/5पी	0	01	0	0	03
582/6पी	0	08	0	0	20
577/10पी	0	03	0	0	08
578/2पी	0	13	0	0	32
578/3पी	0	15	5	0	38
585/2पी	0	06	5	0	16
588/1ए	0	04	0	0	10
588/1डी	0	00	5	0	01

1	2	3	4	5	6
588/1बी	0	02	0	0	05
585/1ई	0	00	5	0	01
588/1सी	0	06	5	0	16
588/2ए	0	01	0	0	02
591/7एपी	0	04	5	0	11
588/2बी	0	01	0	0	02
588/3ए	0	00	5	0	01½
588/3ए	0	00	5	0	01½
588/3बी	0	01	0	0	02
590/10एपी	0	07	0	0	17
591/5ए	0	05	5	0	14
591/6ए	0	01	5	0	04
591/6ए	0	03	5	0	09
590/11एपी	0	01	0	0	02
590/12सीपी	0	02	0	0	05
590/11सीपी	0	03	0	0	07
590/2ए	0	03	0	0	08
590/2ए	0	06	5	0	16
590/7एपी	0	02	5	0	06
590/8एपी	0	02	5	0	06
579/7सी	0	12	0	0	30
582/3पी	0	05	5	0	13
582/4पी	0	01	5	0	04
582/3पी	0	02	5	0	06
582/4पी	0	00	5	0	01
555/1	0	17	5	0	43
592/1ई	0	09	5	0	23
590/1बीपी	0	02	0	0	05
जोड़	2	63	5	6	51

[फा. 12016/34/2006-ओएनजी III-IV]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2909.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from “ADAVIPALEM-5 to ADAVIPALEM EPS” in the A.P. State pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And every person making such an objections shall also state specifically whether he wished to be hear in persons or by legal Practitioner.

SCHEDULE

ROU PIPELINE FROM ADAVIPALEM-5 TO ADAVIPALEM EPS

State : Andhra Pradesh Mandal : Malikipuram
District : East Godavari Village: Sankaraguptam

R.S. No. Hectares Ares Centi Acres Cents
Areas

1	2	3	4	5	6
575/1P	0	02	5	0	06
575/11B	0	18	0	0	45
575/11A	0	04	0	0	10
579/7B	0	05	5	0	14
582/1D	0	04	5	0	11
582/2P	0	01	0	0	03
577/1B	0	23	0	0	57
579/7A	0	05	5	0	14
579/2A	0	06	5	0	16
579/1P	0	16	0	0	40
580/7P	0	18	5	0	46
582/5P	0	01	0	0	03
582/6P	0	08	0	0	20
577/10P	0	03	0	0	08
578/2P	0	13	0	0	32
578/3P	0	15	5	0	38
585/2P	0	06	5	0	16
588/1A	0	04	0	0	10
588/1D	0	00	5	0	01
588/1B	0	02	0	0	05
585/1E	0	00	5	0	01
588/1C	0	06	5	0	16
588/2A	0	01	0	0	02
591/7AP	0	04	5	0	11
588/2B	0	01	0	0	02
588/3A	0	00	5	0	01½
588/3A	0	00	5	0	01½

1	2	3	4	5	6
588/3B	0	01	0	0	02
590/10AP	0	07	0	0	17
591/5A	0	05	5	0	14
591/6A1	0	01	5	0	04
591/6A2	0	03	5	0	09
590/11AP	0	01	0	0	02
590/12CP	0	02	0	0	05
590/11CP	0	03	0	0	07
590/2A1	0	03	0	0	08
590/2A2	0	06	5	0	16
590/7AP	0	02	5	0	06
590/8AP	0	02	5	0	06
579/7C	0	12	0	0	30
582/3P	0	05	5	0	13
582/4P	0	01	5	0	04
582/3P	0	02	5	0	06
582/4P	0	00	5	0	01
585/1	0	17	5	0	43
592/1E	0	09	5	0	23
590/1BP	0	02	0	0	05
TOTAL	2	63	5	6	51

[No. 12016/34/2006-ONG III-IV]

O.P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2910.—केन्द्रीय सरकार की पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 739 तारीख 23-2-2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में ओ.एन.जी.सी. के.जी. बेसिन, राजामंदिर एसट द्वारा आन्ध्र प्रदेश राज्य में कैकुलुर-12 से कैकुलुर-11 परियोजना तक माध्यम से गैस के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 14-7-05 से उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइप लाइन बिछाने के लिये अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिये उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देते हैं कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइन बिछाने का प्रस्ताव करने वाली ओ.एन.जी.सी. में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग के अधिकार, इस प्रकार अधि-रोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त ओ.एन.जी.सी. के.जी. बेसिन, राजामुंद्री एसट में निहित होगा।

अनुसूची

आर.ओ.यू. पाइप लाइन : कैकुलुर-12 से कैकुलुर-11

राज्य	आन्ध्र प्रदेश	मंडल	कैकुलुर		
जिले	कृष्णा	गांव	राचपाटनम		
आर.एस.नं	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
1	2	3	4	5	6
269/1बी2सी	0	03	0	0	08
269/1बी2बी	0	02	0	0	05
269/1बी1	0	06	5	0	16
287/3बी	0	06	0	0	15
298/1ई 2	0	03	0	0	08
298/1ई 3	0	14	0	0	35
288/3ई	0	01	0	0	02½
298/ई1	0	05	5	0	14
298/1डीपी	0	03	0	0	08
288/3डी	0	01	5	0	04
298/1सी	0	00	5	0	00½
288/3सी2	0	03	0	0	07½
288/3सी1	0	03	0	0	07½
288/3बी	0	03	0	0	08
288/3ए	0	04	5	0	11

1	2	3	4	5	6
287/3ए	0	06	0	0	15
285/3सीपी	0	03	0	0	08
285/3बी3	0	16	5	0	41
285/3ए3	0	01	5	0	04
285/3बी2	0	02	5	0	06
285/3ए2	0	09	0	0	22
285/3बी1	0	04	5	0	11
285/3ए1	0	09	5	0	23
285/2बीपी	0	07	0	0	17
285/2एपी	0	08	5	0	21
जोड़	1	28	5	3	18

राज्य	आन्ध्र प्रदेश	मंडल	कैकुलुर		
जिले	कृष्णा	गांव	तामाराकोल्लु		
आर.एस.नं	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
1	2	3	4	5	6
121/1बी	0	00	5	0	01
121/1ए	0	01	0	0	03
122/2सी3	0	01	5	0	04
122/2सी2	0	02	0	0	05
122/2सी1	0	05	0	0	12
123/1सी	0	05	5	0	13
122/2ए	0	01	5	0	04
122/1बी	0	03	0	0	07
123/1बी	0	05	5	0	13
122/1ए	0	03	0	0	07
123/1ए	0	06	0	0	15
123/3डी	0	11	0	0	27
123/3सी	0	03	5	0	09
123/3बी	0	08	5	0	21
123/3ए	0	04	0	0	10
142/पी	0	22	0	0	54
143/1ई	0	06	0	0	15
143/1डी	0	01	0	0	02
143/1सी	0	01	0	0	02
143/1बी	0	01	0	0	02
143/1ए	0	05	0	0	12

1	2	3	4	5	6	1	2	3	4	5	6
140/1डी	0	08	0	0	20	196/2सी	0	04	0	0	10
140/1सी	0	03	0	0	07	196/2बी	0	04	5	0	11
140/1बी	0	01	0	0	03	196/2ए	0	05	0	0	12
140/1ए	0	01	0	0	02	196/3पी	0	05	5	0	14
141/3पी	0	14	5	0	36	214/3बी	0	04	5	0	11
151/6ए	0	00	5	0	01	214/3ए	0	14	0	0	34
138/2	0	19	0	0	47	214/2पी	0	07	0	0	17
138/1	0	15	0	0	30	214/1पी	0	12	0	0	30
148/2बीपी	0	0	5	0	24	212/1ए	0	06	0	0	15
148/2एपी	0	15	5	0	33	212/1सी	0	33	0	0	81
151/6बी	0	18	0	0	20	212/1बी	0	05	0	0	12
151/1ए	0	11	0	0	27	207/2पी	0	11	5	0	28
159/10बीपी	0	02	0	0	05	207/1पी	0	13	5	0	33
159/9बी4	0	01	0	0	03	160/3सी	0	03	5	0	09
159/9बी3	0	01	5	0	04	160/3बी	0	04	5	0	11
159/9बी2	0	01	5	0	04	160/3ए	0	03	5	0	09
159/9बी1	0	01	5	0	04	जोड़		85	5	12	00
159/8बी2	0	01	5		04	राज्य	प्रदेश	मंडल	मुदीनेपल्ली		
159/8बी1	0	01	5		04	जिले	कृष्णा	गांव :	विगुरुकोटा		
159/7पी	0	03	5	0	09	आर.एस.न	हेकटेएस	एस	सेन्टेएस	एकड़	सेन्टस
159/4बी2	0	03	0	0	07	1	2	3	4	5	6
159/3बी	0	01	0	0	03	23/पी	0	23	5	0	58
159/4बी1	0	01	5	0	04	28/1पी	0	06	5	0	16
159/2बी	0	01	0	0	03	29/5पी	0	05	0	0	12
159/1बी	0	01	5	0	04	29/4पी	0	04	5	0	11
174/1	0	06	5	0	16	29/3ए	0	05	5	0	13
175/3ए4	0	18	0	0	20	29/3ए2	0	04	5	0	11
175/3ए3	0	06	5	0	16	29/3बीपी	0	00	5	0	01
175/3ए2	0	06	0	0	15	29/2ए	0	07	0	0	17
175/3ए1	0	06	0	0	15	29/2सी	0	0	5	0	06
179/3पी	0	18	0	0	45	29/2बी	0	01	5	0	04
184/5एपी	0	07	0	0	17	29/1पी	0	03	5		09
194/2एपी	0	07	0	0	17	31/1ए1पी	0	03	5	0	12
184/4ए2	0	03	0	0	08	31/1सीपी	0	05	5	0	13
184/4ए1	0	03	0	0	08	31/1ए2पी	0	04	0	0	10
184/2ए1	0	04	5	0	11	जोड़	0	78	0	1	93
184/1ए2	0	03	5	0	09	[सं. 12016/25/2006-ओएनजी/III-ओ/सी]					
184/1ए1	0	03	0	0	07	ओ.पी. बनवारी, अवर सचिव					
194/4एपी	0	11	0	0	27	New Delhi, the 11th July, 2006					
194/3एपी	0	04	0	0	10	S.O. 2910.—Whereas by notification of the					
194/1ए2	0	13	0	0	32	Government of India in the Ministry of Petroleum and					
194/1ए1	0	05	5	0	13	Natural Gas number S.O. 739 dated 23-2-2005 issued under					
196/6पी	0	08	5	0	21	Sub-section (1) of Section 3 of the Petroleum and Minerals					
196/7पी	0	04	0	0	10	Pipelines (Acquisition of Right of Users in Land) Act, 1962					
						(50 of 1962) (hereinafter referred to as the said Act), the					

Central Government declared its intention to acquire the Right of User in the land specified in the Schedule appended to that Notification for the purpose of laying pipeline KAIKALURU-12 to KAIKALURU-11 in the State of Andhra Pradesh, a pipeline should be laid by the ONGC—RJY;

And whereas copies of the said Gazette Notifications were made available to the public from 14-7-2005.

And whereas no objections have been received from the public to the laying of the pipeline by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report, decided to acquire the Right of User in the lands specified in the Schedule.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule appended to this Notification is hereby acquired for laying the pipeline;

And, further, in exercise of powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of this declaration, in the ONGC, K.G. Project/Rajahmundry Asset, free from encumbrances.

SCHEDULE

ROU PIPELINE FROM KAIKALURU-12 TO KAIKALURU-11

State	: Andhra Pradesh	Mandal	: Kaikaluru		
District	: Krishna	Village	: Rachapatnam		
R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
269/1B2C	0	03	0	0	08
269/1B2B	0	02	0	0	05
269/1B1	0	06	5	0	16
287/3B	0	06	0	0	15
298/1E2	0	03	0	0	08
298/1E3	0	14	0	0	35
288/3E	0	01	0	0	02½
298/E1	0	05	5	0	14
298/1DP	0	03	0	0	08
288/3D	0	01	5	0	04
298/1C	0	00	5	0	00½

1	2	3	4	5	6
288/3C2	0	03	0	0	07½
288/3C1	0	03	0	0	07½
288/3B	0	03	0	0	08
288/3A	0	04	5	0	11
287/3A	0	06	0	0	15
285/3CP	0	03	0	0	08
285/3B3	0	16	5	0	41
285/3A3	0	01	5	0	04
285/3B2	0	02	5	0	06
285/3A2	0	09	0	0	22
285/3B1	0	04	5	0	11
285/3A1	0	09	5	0	23
285/2BP	0	07	0	0	17
285/2AP	0	08	5	0	21
TOTAL	1	28	5	3	18

State : Andhra Pradesh	Mandal : Kaikaluru				
District : Krishna	Village : Tamarakollu				
R.S. No.	Hectares	Ares	Centi Areas	Acres	Cents
1	2	3	4	5	6
121/1B	0	00	5	0	01
121/1A	0	01	0	0	03
122/2C3	0	01	5	0	04
122/2C2	0	02	0	0	05
122/2C1	0	05	0	0	12
123/1C	0	05	5	0	13
122/2A	0	01	5	0	04
122/1B	0	03	0	0	07
123/1B	0	05	5	0	13
122/1A	0	03	0	0	07
123/1A	0	06	0	0	15
123/3D	0	11	0	0	27
123/3C	0	03	5	0	09
123/3B	0	08	5	0	21
123/3A	0	04	0	0	10
142/P	0	22	0	0	54
143/1E	0	06	0	0	15
143/1D	0	01	0	0	02
143/1C	0	01	0	0	02
143/1B	0	01	0	0	02

1	2	3	4	5	6	1	2	3	4	5	6
143/1A	0	05	0	0	12	184/1A2	0	03	5	0	09
140/1D	0	08	0	0	20	184/1A1	0	03	0	0	07
140/1C	0	03	0	0	07	194/4AP	0	11	0	0	27
140/1B	0	01	0	0	03	194/3AP	0	04	0	0	10
140/1A	0	01	0	0	02	194/1A2	0	13	0	0	32
141/3P	0	14	5	0	36	194/1A1	0	05	5	0	13
151/6A	0	00	5	0	01	196/6P	0	08	5	0	21
138/2	0	19	0	0	47	196/7P	0	04	0	0	10
138/1	0	12	0	0	30	196/2C	0	04	0	0	10
148/2BP	0	09	5	0	24	196/2B	0	04	5	0	11
148/2AP	0	13	5	0	33	196/2A	0	05	0	0	12
151/6B	0	18	0	0	20	196/3P	0	05	5	0	14
151/1A	0	11	0	0	27	214/3B	0	04	5	0	11
159/10BP	0	02	0	0	05	214/3A	0	14	0	0	34
159/9B4	0	01	0	0	03	214/2P	0	07	0	0	17
159/9B3	0	01	5	0	04	214/1P	0	12	0	0	30
159/9B2	0	01	5	0	04	212/1A	0	06	0	0	15
159/9B1	0	01	5	0	04	212/1C	0	33	0	0	81
159/8B2	0	01	5	0	04	212/1B	0	05	0	0	12
159/8B1	0	01	5	0	04	207/2P	0	11	5	0	28
159/7P	0	03	5	0	09	207/1P	0	13	5	0	33
159/4B2	0	03	0	0	07	160/3C	0	03	5	0	09
159/3B	0	01	0	0	03	160/3B	0	04	5	0	11
159/4B1	0	01	5	0	04	160/3A	0	03	5	0	09
159/2B	0	01	0	0	03	TOTAL	4	85	5	12	00
159/1B	0	01	5	0	04	State : Andhra Pradesh Mandal: Mudeneipalli					
174/1	0	06	5	0	16	District : Krishna Village: Chigurukota					
175/3A4	0	18	0	0	20	R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
175/3A3	0	06	5	0	16	1	2	3	4	5	6
175/3A2	0	06	0	0	15	23/P	0	23	5	0	58
175/3A1	0	06	0	0	15	28/1P	0	06	5	0	16
179/3P	0	18	0	0	45	29/5P	0	05	0	0	12
184/5AP	0	07	0	0	17	29/4P	0	04	0	0	11
194/2AP	0	07	0	0	17	29/3A1	0	05	0	0	13
184/4A2	0	03	0	0	08	29/3A2	0	04	5	0	11
184/4A1	0	03	0	0	08	29/3BP	0	00	5	0	01
184/2A1	0	04	5	0	11	29/2A	0	07	0	0	17
						29/2C	0	02	5	0	05
						29/2B	0	01	5	0	04

1	2	3	4	5	6
29/1P	0	03	5	0	09
31/1A1P	0	03	5	0	12
31/1CP	04	05	5	0	13
31/1A2P	0	04	0	0	10
TOTAL	0	78	0	1	93

[No. 12016/25/2006-ONG-III-O/C]

O.P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2911.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर. ओ. यू. पाइप लाइन के. वि. ऐ. एफ. से केसवादासुपालेम-4 (के. वि. ऐ. सि.) तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ;

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामन्दि एसट/के. जी. बेसिन ओ.एन.जी.सी. गोदावरी भवन, राजामन्दि, आंध्र प्रदेश अधि-सूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

आर. ओ. यू. पाइप लाइन : के.वि.ऐ.एफ. से
केसवादासुपालेम-4 (के.वि.ऐ.सि.)

राज्य :	आन्ध्र प्रदेश	मंडल :	सकिनेटिपाल्ली		
जिले :	पूर्व गोदावरी	मंभ :	अंतरावेदी		
आर. एस. नं	हेक्टेर्स	एर्स	सेन्टीएर्स	एकड़	सेन्ट्स
1	2	3	4	5	6
888	0	10	0	0	25
868/3एपी	0	01	0	0	03

1	2	3	4	5	6
868/3एपी	0	01	0	0	03
868/3बी	0	03	0	0	08
868/3सी	0	02	5	0	06
868/3डी	0	13	0	0	32
868/3ईपी	0	05	5	0	13
868/3ईपी	0	05	5	0	13
868/3ईपी	0	05	0	0	12
869/1ए	0	12	0	0	30
870/पी	0	09	5	0	23
889/2पी	0	02	0	0	05
890/3ए	0	01	0	0	03
892/2बी	0	01	0	0	03
892/3एपी	0	01	5	0	04
892/3सी	0	01	0	0	03
892/3डी	0	01	5	0	04
जोड़	0	77	0	1	90

[फा. सं. 12016/32/2006-ओएनजी/III-IV]

ओ. पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2911.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from "KVAF to Kesavadasupalem-4 (KV AC)" in the A.P. State pipeline should be laid by the Oil & Natural Gas Corporation Ltd;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

And every person making such any objections shall also state specifically whether he wished to be heard in person or by legal Practitioner.

SCHEDULE

ROU PIPELINE FROM KVAF (Kesavadasupalem-7)
to KVAC (Kesavadasupalem-4)

State :	Andhra Pradesh	Mandal :	Sakhinetipalli		
District :	East Godavari	Village :	Antarvedi		
R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
888	0	10		0	25
868/3Ap	0	01	0	0	03
868/3Ap	0	01	0	0	03
868/3	0	03	0	0	08
868/3C	0		5	0	06
868/3D	0	13	0	0	32
868/3Ep	0	05	5	0	13
868/3Ep	0	05	5	0	13
868/3Ep	0	05	0	0	12
869/1A	0	12	0	0	30
870/P	0	09	5	0	23
889/2P	0	02	0	0	05
890/3A	0	01	0	0	03
892/2B	0	01	0	0	03
892/3Ap	0	01	5	0	04
892/3C	0	01	0	0	03
892/3D	0	01	5	0	04
TOTAL	0	77	0	1	90

[F.No. 12016/32/2006-ONG/III-IV]

O. P. BANWARI, Under Secy.

नई दिल्ली, 11 जुलाई, 2006

का.आ. 2912.—केन्द्रीय सरकार को पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 741 तारीख 23-2-2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में ओ.एन.जी.सी., के.जी. बेसिन, राजामात्रि एसट द्वारा आन्ध्र प्रदेश राज्य में एल.एस.ए.ए. से आर.सी.एम. टी. नरसपुर परियोजना तक माध्यम से गैस के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 20-08-2005 से उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में पाइपलाइन बिछाने के लिये उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निवेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइन बिछाने का प्रस्ताव करने वाली ओ.एन.जी.सी. में निहित होगी और तदुपरि, भूमि में ऐसे उपयोग के अधिकार, इस प्रकार अधिरोहित निबंधनों और शर्तों के अधीन होते हुए, सभी बिल्लिंगों से मुक्त ओ.एन.जी.सी., के.जी. बेसिन, राजामात्रि एसट में निहित होगा।

अनुसूची

आर.ओ.बू. पाइपलाइन : एल.एस.ए.ए. से आर.सी.एम.टी.
नरसपुर

राज्य :	आन्ध्रप्रदेश	मंडल :	नरसपुर		
जिला :	पश्चिम गोदावरी	गांव :	रुस्तुमबादा		
आर.एस.नं	हेक्टेयर्स	एर्स	सेन्टेयर्स	एकड़	सेन्ट्स
1	2	3	4	5	6
544/12बी	0	01	0	0	02 1/2
544/13बी	0	01	0	0	03
544/9ए2	0	02	0	0	05
544/10	0	01	0	0	03
544/11	0	01	0	0	03
544/12	0	00	5	0	01
530/1ए2	0	03	0	0	07
530/3बी1	0	01	0	0	02 1/2
527/5बी	0	01	0	0	03

1	2	3	4	5	6	1	2	3	4	5	6
544/9सी2	0	07	5	0	18	382/5बी3/सी3	0	06	0	0	15
544/6	0	02	0	0	05	378/3बी	0	01	5	0	04
544/8	0	02	0	0	05	506/2आई2	0	04	5	0	11
544/7ए2	0	01	5	0	04	506/2एच2	0	02	0	0	05
544/5बी	0	03	0	0	07	506/2जी2	0	02	5	0	06 1/2
554/2बी	0	01	5	0	04	506/2एफ2	0	03	0	0	08
554/3बी	0	00	5	0	01	506/2डी2	0	02	0	0	05
544/4ए	0	02	5	0	06	506/2सी2	0	01	5	0	04 1/2
505/2बी	0	16	0	0	40	507/3डी1	0	01	0	0	02
547/2पी	0	08	0	0	20	507/3सी1	0	01	0	0	02
551/3ए	0	02	0	0	05 1/2	507/2बी	0	11	5	0	29
551/2सी1	0	01	5	0	04	506/2ए2	0	03	0	0	07
551/2ए1	0	01	0	0	03	507/3बी1	0	01	0	0	03
551/1ए1	0	01	0	0	03	507/2ए1	0	01	5	0	04 1/2
551/1बी2	0	01	0	0	02	508/6डी1	0	03	0	0	08
529/1सी1	0	01	0	0	02	508/6ई1	0	01	0	0	03
529/1सी2	0	01	0	0	02	50/5सी2	0	01	0	0	02 1/2
529/1बी21	0	00	5	0	01	508/6ए2	0	02	0	0	05
529/1बी1	0	00	5	0	01	508/5डी2	0	01	5	0	04 1/2
529/1ए1	0	01	0	0	02	508/2बी	0	03	5	0	09
530/3ए2	0	03	0	0	08	508/5ए2	0	02	0	0	05 1/2
530/2सी	0	03	5	0	09	508/6सी2	0	01	0	0	02
530/2बी	0	03	0	0	07	508/5सी2	0	02	0	0	05 1/2
530/1बी2	0	05	0	0	12 1/2	510/5सी2	0	03	5	0	09
531/2बी4	0	05	5	0	13 1/2	510/5डी2	0	00	5	0	01 1/2
531/2बी3	0	03	0	0	08	510/5ई2	0	01	0	0	02
531/2बी2	0	03	0	0	08	510/5एफ2	0	01	0	0	02 1/2
531/2ए2	0	03	5	0	09	510/2ए2	0	04	5	0	11
531/1डी2	0	04	5	0	11	510/2बी2	0	03	5	0	09
527/10बी	0	04	5	0	11	510/2सी2	0	01	5	0	04 1/2
527/8सी2	0	06	0	0	15	510/2डी2	0	05	0	0	12 1/2
527/7बी	0	04	5	0	11	510/2ई2	0	07	5	0	19
527/6बी	0	03	0	0	08	510/3ए2	0	00	5	0	01
526/3डी2	0	01	0	0	03	510/4डी2	0	01	0	0	03
527/7सी	0	01	5	0	04 1/2	510/4ई2	0	01	0	0	03
504/1सी1	0	00	5	0	01 1/2	510/4, एफ2	0	01	0	0	02 1/2
382/5बी3, ए2	0	14	0	0	34	390/2	0	07	0	0	17
382/5बी3/बी1	0	05	0	0	12	जोड़	3	49	5	6	165
506/2जे3	0	06	0	0	15						
382/5बी3/डी2	0	00	5	0	01						

[सं. फा. 12016/30/2006-ओएनजी-III-ओ/सी]

ओ.पी. बनवारी, अवर सचिव

New Delhi, the 11th July, 2006

S.O. 2912.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 741 dated 23-02-2005 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that Notification for the purpose of laying pipeline LSAA to RCMT NARSAPUR in the State of Andhra Pradesh, a pipeline should be laid by the ONGC-RJY;

And whereas copies of the said Gazette Notifications were made available to the public on 20-8-2005.

And whereas no objections have been received from the public to the laying of the pipeline by the competent authority;

And whereas the competent authority has under Sub-section (1) of Section 3 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report decided to acquire the Right of User in the lands specified in the Schedule.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule appended to this Notification is hereby acquired for laying the pipe line;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of this declaration, in the ONGC, K.G. Project/Rajahmundry Asset, free from encumbrances.

SCHEDULE

ROU PIPELINE FROM LSAA to RCMT NARSAPUR

State	Andhra Pradesh	Mandal	Narsapur
District	West Godavari	Village	Rustumbada
R.S. No.	Hectares	Ares	Centi ares
1	2	3	4
544/12B	0	01	0
544/13B	0	01	0
544/9A2	0	02	0
544/10	0	01	0
544/11	0	01	0
544/12	0	00	5
530/1A2	0	03	0
530/3B1	0	01	0
527/5B	0	01	0

1	2	3	4	5	6
544/9C2	0	07	5	0	18
544/6	0	02	0	0	05
544/8	0	02	0	0	05
544/7A2	0	01	5	0	04
544/5B	0	03	0	0	07
554/2B	0	01	5	0	04
554/3B	0	00	5	0	01
544/4A	0	02	5	0	06
505/2B	0	16	0	0	40
547/2P	0	08	0	0	20
551/3A	0	02	0	0	05 1/2
551/2C1	0	01	5	0	04
551/2A1	0	01	0	0	03
551/1A1	0	01	0	0	03
551/1B2	0	0	0	0	02
529/1C1	0	01	0	0	02
529/1C2	0	01	0	0	02
529/1B21	0	00	5	0	01
529/1B1	0	00	5	0	01
529/1A1	0	01	0	0	02
530/3A2	0	03	0	0	08
530/2C	0	03	5	0	09
530/2B	0	03	0	0	07
530/1B2	0	05	0	0	12 1/2
531/2B4	0	05	5	0	13 1/2
531/2B3	0	03	0	0	08
531/2B2	0	03	0	0	08
531/2A2	0	03	5	0	09
531/1D2	0	04	5	0	11
527/10B	0	04	5	0	11
527/8C2	0	06	0	0	15
527/7B	0	04	5	0	11
527/6B	0	03	0	0	08
526/3D2	0	01	0	0	03
527/7C	0	01	5	0	04 1/2
504/1C1	0	00	5	0	01 1/2
382/5B3,A2	0	14	0	0	34
382/5B3/B1	0	05	0	0	12
506/2J3	0	06	0	0	15
382/5B3/D2	0	00	5	0	01
382/5B3/C3	0	06	0	0	15
378/3B	0	01	5	0	04
506/2I2	0	04	5	0	11
506/2H2	0	02	0	0	05
506/2G2	0	02	5	0	06 1/2
506/2F2	0	02	0	0	08
506/2D2	0	01	0	0	05
506/2C2	0	0	5	0	04 1/2
507/3D1	0	01	0	0	02
507/3C1	0	01	0	0	02

1	2	3	4	5	6
507/2B	0	11	5	0	29
506/2A2	0	03	0	0	07
507/3B1	0	01	0	0	03
507/2A1	0	01	5	0	04 ½
508/6D1	0	03	0	0	08
508/6E1	0	01	0	0	03
50/5C2	0	01	0	0	02 ½
508/6A2	0	02	0	0	05
508/5D2	0	01	5	0	04 ½
508/2B	0	03	5	0	09
508/5A2	0	02	0	0	05 ½
508/6C2	0	01	0	0	02
508/5C2	0	02	0	0	05 ½
510/5C2	0	03	5	0	09
510/5D2	0	00	5	0	01 ½
510/5E2	0	01	0	0	02
510/5F2	0	01	0	0	02 ½
510/2A2	0	04	5	0	11
510/2B2	0	03	5	0	09
510/2C2	0	01	5	0	04 ½
510/2D2	0	05	0	0	12 ½
510/2E2	0	07	5	0	19
510/3A2	0	00	5	0	01
510/4D2	0	01	0	0	03
510/4E2	0	01	0	0	03
510/4F2	0	01	0	0	02 ½
390/2	0	07	0	0	17
TOTAL	2	49	5	6	165

[F. No. 12016/30/2006-ONG-III-O/C]

O. P. BANWARI, Under Secy.

नई दिल्ली, 21 जुलाई, 2006

का.आ. 2913.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 448, तारीख 31-01-2006 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में राजस्थान राज्य में चाकसू से होकर गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक सलाया-मथुरा पाइपलाइन प्रणाली परियोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रति जनता को तारीख 27-3-2006 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी राजस्थान ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय, सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : पिण्डवाड़ा जिला : सिरौही राज्य : राजस्थान

गांव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5
चाटेरा	37	0	13	13
	41	0	04	32
	53/3 मिन	0	04	97
अजारी	186	0	06	20
	189	0	01	43
	214	0	07	80
	215	0	00	83
	217	0	00	28
	219	0	09	36
	2743	0	02	21
	2753	0	01	36
पिण्डवाड़ा	2754	0	05	55
	2756	0	00	20
	2764	0	04	10
	2765	0	01	45
	2769	0	01	00

[फा. सं. आर-25011/47/2001-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 21st July, 2006

S.O. 2913.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 448, dated 31 January, 2006 issued

under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil—Pindwara, District—Sirohi, State of Rajasthan specified in the Schedule appended to that notification for the purposes of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by Indian Oil Corporation Limited for implementing the Augmentation of Viramgam—Chaksu, Chaksu—Panipat and Chaksu—Mathura, Section of Salaya—Mathura Pipeline System Project;

And whereas copies of the said notifications were made available to the general public on 27-03-2006;

And whereas, the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government.

And whereas the Central Government, after considering the said report is satisfied that the Right of User in the land specified in the Schedule appended to this Notification should be acquired.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declare that the right of user in the land specified in the Schedule appended to this notification is hereby acquired.

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall, instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Pindwara District : Sirohi State : Rajasthan				
Name of the Village	Khasra No.	Area		
		Hect.	Are	Sq. Mtr.
1	2	3	4	5
Vatera	37	0	13	13
	41	0	04	32
	53/3 Min	0	04	97
	186	0	06	20
	189	0	01	43
Ajari	214	0	07	80
	215	0	00	83
	217	0	00	28
	219	0	09	36
	2743	0	02	21
Pindwara	2753	0	01	36
	2754	0	05	55
	2756	0	00	20

1	2	3	4	5
Pindwara	2764	0	04	10
	2765	0	01	45
	2769	0	01	00

[No. R-25011/47/2001-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 21 जुलाई, 2006

का.आ. 2914.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 447 तारीख 31-01-2006 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में राजस्थान राज्य में चाकसू से होकर गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक सलाया-मथुरा पाइपलाइन प्रणाली परियोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रति जनता को तारीख 27-3-2006 की उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी राजस्थान ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देते हैं कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय, सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : आबूरोड़ जिला : सिरौही		राज्य : राजस्थान		
गांव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर एयर वर्ग मीटर		
1	2	3	4	5
आम्बा	257	0	05	98

[सं.आर-25011/47/2001-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 21st July, 2006

S.O. 2914.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 447 dated 31 January 2006 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil—Abu Road, District—Sirohi, State Rajasthan specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by Indian Oil Corporation Limited for implementing the Augmentation of Viramgam—Chaksu, Chaksu—Panipat and Chaksu—Mathura, Section of Salaya—Mathura Pipeline System Project;

And whereas, copies of the said Notification were made available to the general public on 27-03-2006.

And whereas, the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government.

And whereas the Central Government after considering the said report is satisfied that the Right of user in the lands specified in the Schedule Appended to this Notification should be acquired.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall, instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Abu District : Sirohi State : Rajasthan		Road		
Name of the village	Khasara No.	Area		
		Hect. Are	Sq. Mtr.	
1	2	3	4	5
Amba	257	0	05	98

[No. R-25011/47/2001-O.R.-I]

S.K. CHITKARA, Under Secy.

नई दिल्ली, 21 जुलाई, 2006

का.आ. 2915.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम

कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 446, तारीख 31 जनवरी, 2006 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में राजस्थान राज्य में चाकसू से होकर गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक, सलाया-मथुरा पाइपलाइन प्रणाली परियोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रति जनता को तारीख 27-3-2006 से उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी राजस्थान ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : देसूरी	जिला : पाली	राज्य : राजस्थान		
गांव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5
बडौद	393	0	09	66

[सं.आर-25011/29/2001-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 21st July, 2006

S.O. 2915.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 446, dated 31 January, 2006 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil—Desuri,

District—Pali, State of Rajasthan specified in the schedule appended to that notification for the purposes of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by Indian Oil Corporation Limited for implementing the Augmentation of Viramgam—Chaksu, Chaksu—Panipat and Chaksu—Mathura, Section of Salaya—Mathura Pipeline System Project;

And whereas, Copies of the said notification were made available to the general public on 27-03-2006;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule Appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall, instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Desuri		District : Pali		State : Rajasthan	
Name of the Village	Khasara No.	Area			
		Hect. Are	Sq. Mtr.		
1	2	3	4	5	
Barod	393	0	09	66	

[No. R-25011/29/2001-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 26 जुलाई, 2006

का.आ. 2916.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन

(भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के संबंध में श्री दीपक नन्दी, सक्षम प्राधिकारी, मुम्बई-मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, बी-105, इन्द्र विहार, तलवंडी, कोटा-324005 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : लाड़पुरा		जिला : कोटा	राज्य : राजस्थान
क्र.	गांव का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1	नोटाना	715	0.1000
2	बृजेशपुरा	450	0.0500

[सं.आर-31015/8/2004-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 26th July, 2006

S.O. 2916.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Manglya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Deepak Nandi, Competent Authority, Mumbai-Manglya Pipeline Extension Project, Bharat Petroleum Corporation Limited, B-105, Indravihar, Talwandi, Kota-324 005 (Rajasthan).

SCHEDULE

Tehsil : Ladpura District : Kota State : Rajasthan			
S.No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1	Notana	715	0.1000
2	Brajeshpura	450	0.0500

[No. R-31015/8/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 26 जुलाई, 2006

का.आ. 2917.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1962 तारीख 12 मई, 2006, जो भारत के राजपत्र तारीख 20 मई, 2006 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 2 जून, 2006 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : लाड़पुरा जिला : कोटा राज्य : राजस्थान			
क्र.सं.	गांव का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1	जाखोड़ा	216/878	0.0220
2	गोदलियाहेड़ी	292/595	0.0020

[सं.आर-31015/8/2004-ओ.आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, / ie 26th July, 2006

S.O. 2917.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1952 dated the 12 May, 2006 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20 May, 2006, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh, to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 2nd June, 2006;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline; has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in the Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Ladhura District : Kota State : Rajasthan			
S.No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1	Jakhoda	216/878	0.0220
2	Godaliyabedi	292/595	0.0020

[No. R-31015/8/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 27 जुलाई, 2006

का.आ. 2918.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश राज्य में मांगल्या (इन्दौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजलासन तक पेट्रोलियम उत्पादकों के परिवहन के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाब्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने को अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इसकीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के संबंध में श्री दीपक नन्दी, सक्षम प्राधिकारी मुम्बई-मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड, 73, प्रतापविला, रोजमिला स्कीम बर्ड सेंचुरी रोड, भरतपुर (राजस्थान) को लिखित रूप में अक्षेप भेज सकेगा।

अनुसूची

तहसील : बगाना	जिला : भरतपुर	राज्य : राजस्थान
क्र.सं. गांव का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3
1 शेरगढ़	1555	0.1230
	1556	0.0830
	938	0.0144
	1036	0.0144
2 सिकंदरा	817	0.1100
3 नहरोली	1185	0.0648
4 नगला खटका	347	0.1175
5 कास्वारी	258	0.0465

[सं.आ-31015/79/2004-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 27th July, 2006

S.O. 2918.—Whereas it appears to the Central Government that is necessary in the public interest that for the transportation of petroleum products from Mangliya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Deepak Nandi, Competent Authority, Mumbai-Mangliya Pipeline Extension Project, Bharat Petroleum Corporation Limited, 73, Pratap villa, Rose villa scheme, Bird Century Road Bharatpur (Rajasthan).

SCHEDULE

Tehsil : Bayana Distt. : Bharatpur State : Rajasthan		
S.No.	Name of Village	Area in Hectare
1	2	3
1	Shergarh	1555
		1556
		938
		1036
2	Sikandra	817
3	Nahroli	1185
4	Nagla Khatka	347
5	Karvari	258

[No R-31015/79/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 28 जुलाई, 2006

का.आ. 2919.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 4431 तारीख 24 नवम्बर, 2005 जो भारत के

राजपत्र तारीख 26 नवम्बर, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 10 जनवरी, 2006 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : सांगोद		जिला : कोटा	राज्य : राजस्थान
क्र.सं.	गांव का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1	धूलेट	पड़त	0.1600
2	आंवा	652	0.0070
3	खडीपुर	672	0.0250
		676	0.0070
		575	0.0100
		736	0.0440
		672/741	0.0220
		731	0.0440
4	खजूरी	384	0.0070
5	कुराड	1669	0.0290
		1671	0.2050
		1671/1936	0.2310
		1660	0.0040

3

4

1668

0.0920

960

0.0900

[सं. आर-31015/76/2004-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 28th July, 2006

S.O. 2919.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 4431 dated the 24th November, 2005, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 26th November, 2005 the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) Terminal in the State of Madhya Pradesh, to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 10th January, 2006;

And whereas, the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification, is hereby acquired for laying the pipeline.

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Sangod		District : Kota	State : Rajasthan
S.No. Name of Village		Survey No.	Area in Hectare
1	2	3	4
1	Dhulet	Padat	0.1600
2	Aanwa	652	0.0070
3	Khadipur	672	0.0250

1	2	3	4
		676	0.0070
		575	0.0100
		736	0.0440
		672/741	0.0220
		731	0.0440
4	Khajuri	384	0.0070
5	Kurad	1669	0.0290
		1671	0.2050
		1671/1936	0.2310
		1660	0.0040
		1668	0.0920
		960	0.0900

[No R-31015/76/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 28 जुलाई, 2006

का.आ. 2920.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरयाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन को संबंध में श्री दीपक नन्दी, सक्षम प्राधिकारी मुम्बई-मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड, बी-105, इन्द्र विहार, तलवंडी, कोटा-324005 (राजस्थान) को लिखित रूप में आक्षेप भेज सकता।

अनुसूची

सहस्रील : सांगोद		जिला : कोटा	राज्य : राजस्थान
क्र.सं.	गांव का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1	माण्डुहड़ा	289	0.0220
2	खजुरी	617	0.1440
3	बन्दा	73	0.1225
		208	0.0505
4	कुराद	1671/1936	0.0890
		1660	0.0310

1	2	3	4
		1691	0.0300
		1665	0.0350
		1661	0.0600

[सं.आर-31015/76/2004-ओ.आर.-11]

ए. गोस्वामी, अवर सचिव

New Delhi, the 28th July, 2006

S.O. 2920.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mangliya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And, whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Deepak Nandi, Competent Authority, Mumbai-Mangliya Pipeline Extension Project, Bharat Petroleum Corporation Limited, B-105, Indravihar, Talwandi, Kota-324005 (Rajasthan).

SCHEDULE

Tehsil : Sangod		Distt. : Kota	State : Rajasthan
S.No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1	Manduheda	289	0.0220
2	Khajuri	617	0.1440
3	Banda	73	0.1225
		208	0.0505
4	Kurad	1671/1936	0.0890
		1660	0.0310
		1691	0.0300
		1665	0.0350
		1661	0.0600

[No. R-31015/76/2004-OR-II]

A. GOSWAMI, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 29 जून, 2006

का.आ. 2921.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट, टेलीग्राफ ट्रैफिक, भोपाल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार आद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/135/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-6-2006 को प्राप्त हुआ था।

[सं. एल-40012/158/93-आईआर (डीयू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 29th June, 2006

S.O. 2921.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/135/94) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Supdt., Telegraph Traffic, Bhopal and their workman, which was received by the Central Government on 29-6-2006.

[No. L-40012/158/93-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/135/94**Presiding Officer : Shri C.M. SINGH**

Shri Rafi Ahmed,
S/o Shri Bashir Ahmed,
C/o Shri Bhavendar Bhusarkar,
E-2/27, Arera Colony,
Bhopal

....Workman/Union

Versus

The Superintendent,
Telegraph Traffic,
Bhopal Division,
Bhopal

....Management

AWARD

Passed on this 13th day of June-2006

1. The Government of India, Ministry of Labour vide its Notification No. L-40012/158/93-IR (DU) dated 11-8-94 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Sr. Supdt., Telegraph Traffic, Bhopal in terminating the services

of Shri Rafi Ahmed, S/o Shri Bashir Ahmed w.e.f. 25-2-93 is justified? If not, what relief the workman concerned is entitled to?”

2. The case of workman Shri Rafi Ahmed in brief is as follows. He was appointed from the establishment of casual labour under the department of management and after qualifying the service of casual employee was absorbed towards the regular vacancies vide letter dated 27-10-89 of the Divisional Officer in the management as per settlement dated 7-6-85 arrived at with the management before the Assistant Labour Commissioner (Central), Bhopal. The workman had been posted at Mandi deep office of the management and thereafter vide letter dated 31-10-92, he was transferred to office at Sheopuri of the management. In pursuance to the above orders, he joined duties at Sheopuri office and started performing his duties. The incharge of Sheopuri, Sub-office began harassing him in performing his duties with the ulterior motive that the workman's work could be done by a private person appointed, by the incharge of Sheopuri office who then was entitled to get Rs.27.50 and only Rs. 20.00 was usually paid to him and in this manner, the incharge used to make profit of Rs. 7.50. The incharge harassed the workman and began marking him absent. Therefore on 3-3-93, the workman sent a telegram to the incharge of the Union and S.S.T.T. Bhopal regarding the matter. Not only this, the incharge of Sheopuri office vide his letter dated 25-2-93 which was received by the workman on 1-3-93 asked him to submit explanation for toring of entry sheets of duties. In spite of the advice of incharge of concerned Union, not to reply the Memo of incharge of Sheopuri office, the workman replied the same on 5-3-93 by which he expressed that he was not guilty of the alleged fault. In spite of it, the workman was not taken on duty by the incharge of Sheopuri office and therefore the workman reported the matter to the circle Secretary of the Union who approached the higher authorities about the vindictive and harassing attitude of Shri M.S. Qureshi, Incharge of Sheopuri office vide letter dated 17-5-93, telegram dated 21-4-93, letters dated 8-4-93, 24-3-93, 22-3-93 (letter of CGM, Bhopal). But all in vain and therefore the matter was submitted to the Assistant Labour Commissioner (Central), Bhopal who had asked the management for settlement of industrial dispute vide his letters dated 27-7-93 and 6-8-93, but all in vain. Thereafter the incharge of Sheopuri office sent letter dated 21-9-93 to the workman for recovery of Rs.1,788/- from his salary. The conciliation proceedings failed between the parties and hence the matter was reported to the Government of India, Ministry of Labour. That in the meanwhile, the S.S.T.T. Bhopal vide letter dated 17-9-93 asked the workman to join his duty at Sheopuri and accordingly the workman joined his duty at Sheopuri on 20-9-93 but he was not taken on duty by the incharge of Sheopuri office. The intimation whereof was communicated to

S.S.T.T. Bhopal vide telegram dated 21-9-93. On it, the Secretary of the Union again represented the matter to the Assistant Labour Commissioner (C), Bhopal vide letter dated 20-12-93 but with no result. However incharge of Sheopuri office vide letter dated 24-2-94 asked the workman to join duty within 3 days and the workman joined again on 8-3-94. The incharge of Sheopuri office vide letter dated 28-3-94 asked the workman about his absence from duty and the same was replied through the Secretary of the Union vide letter dated 15-7-94 which also yielded no result. The Government of India, Ministry of Labour on the basis of letter dated 27-9-93 of the Assistant Labour Commissioner (Central), Bhopal referred the matter to this tribunal for deciding this reference. It has been claimed by the workman that he may be reinstated in service with effect from 25-2-93 till date with all back wages and benefits and the management be directed to take the workman on duty and preferably be posted where Shri M.S. Qureshi is not posted.

3. The management contested the reference and filed its written statement. The case of the management in brief is as follows. The workman was employed as casual labour and had subsequently acquired temporary status. He did not perform his duties properly and to the satisfaction of the management. He was employed as a casual mazdoor (temporary status) in the telegraph office of Sheopuri. While performing his duties on 25-2-93, he tore his duty slip and left the office on his own. He remained absent. He joined duty on 1-3-93 and worked on 2-3-93. Since 3-3-93, he remained absent without any prior intimation or permission. He raised an industrial dispute before the ALC (C), Bhopal. The management in its reply dated 10-8-93 brought it to the notice of the Assistant Labour Commissioner that the workman had absented himself unauthorisely and without permission. That during conciliation proceedings held on 16-9-93, the ALC (C) requested the management to take the workman back on duty. Vide letter dated 17-9-93, the workman was directed to report for duty before the incharge, telegraph office, Sheopuri within a period of 5 days. That in response to letter dated 17-9-93, the workman joined his duty on 29-9-93. From 29-9-93 the workman continue to remain absent unauthorisedly and tried to cover his action by submitting that the incharge, telegraph office, Sheopuri had refused to take him on duty. The workman of his own accord joined duty on 8-3-94 and worked upto 9-4-94. From 10-4-94, the workman again unauthorisedly absented himself. No prior intimation or permission had been given or taken by the workman for his absence. Several orders had been issued with reminders to the workman to join duty but till date, the workman has failed to comply with the said orders or reminders. The above facts clearly indicate that the workman was not terminated but remained on unauthorised leave. In

the light of the facts of the case, the workman had worked even after 25-2-93. It is prayed on behalf of the management that the Honourable Tribunal may be pleased to hold that the reference made by the appropriate Government is not maintainable and there is no termination of the workman and, therefore, he is not entitled to any relief.

4. Vide order dated 16-2-06 passed by this tribunal, the case proceeded ex parte against the management.

5. Workman Shri Rafi Ahmed filed his affidavit for proving his case.

6. I have heard Shri S.R. Singh, Advocate the learned counsel for the workman. I have very carefully gone through the entire evidence on record.

7. The case of the workman is fully proved from his uncontroverted affidavit on record. As the reference proceeded ex parte against the management, there is no evidence of the management for proving their case.

8. According to averment made in statement of claim by the workman, he was terminated from service w.e.f. 25-2-93. He has claimed his reinstatement in service with full back wages. It has not been averred in the statement of claim by the workman that w.e.f. 25-2-93 till date, he was not gainfully employed and therefore he is entitled to back wages. Since it has not been averred in the statement of claim, there is no evidence of the workman on the above point. It clearly means that the workman has failed in proving that he was not gainfully employed since the date of his termination from service till date. It has been held in 2006(2)SC Cases -711 in the case of State of Madhya Pradesh and others *versus* Arjunlal Rajak that the onus to prove that the workman had not been gainfully employed within the said period was on him. In this case, the workman has not discharged the said onus; rather the workman has failed to make any averment to the above effect in his statement of claim. Therefore it is held that the action of the management of Sr. Supdt., Telegraph, Traffic, Bhopal in terminating the services of Shri Rafi Ahmed, s/o Shri Bashir Ahmed w.e.f. 25-2-93 is not justified and the workman is entitled to be reinstated in service but without back wages or allowances, if any. The workman shall be entitled to get the costs of this proceedings from the management. The reference is answered accordingly.

9. In view of the above the Sr. Supdt., Telegraph Traffic, Bhopal Division, Bhopal is directed to reinstate the workman Shri Rafi Ahmed in service without back wages but with costs of this reference.

10. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 29 जून, 2006

AWARD

का.आ. 2922.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (संदर्भ संख्या 152/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-6-06 को प्राप्त हुआ था।

[सं. एल-40012/84/2001-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 29th June 2006

S.O. 2922.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 152/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 29-6-2006.

[No. L-40012/84/2001-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
LUCKNOW**

PRESENT:

Shrikant Shukla,
Presiding Officer,

I.D. NO. 152/2001

Ref. No. L-40012/84/2001-IR(DU) dt. 11-9-2001

BETWEEN:

Sh. Sadashiv S/o Sh. Shukh Lal
Vill Puremia (Majrasuchi)
P.O. Suchithana, Slon
Raebareilly

And

- 1- The General Manager, Telecom Deptt.
O/o the General Manager
Gandhi Bhawan, Lucknow 226001
- 2- The Telecom District Engineer
O/o the Telecom District Manager,
Raebareilly-229001

The Government of India, Ministry of Labour, New Delhi referred the following dispute No. L-40012/84/2001 IR (DU) dated 11-9-2001 for adjudication to the Presiding Officer, CGIT- cum- Labour Court, Lucknow;

“WHETHER THE ACTION OF THE MANAGEMENT OF TELECOM, LUCKNOW IN TERMINATING THE SERVICES OF SH. SADA SHIV VIDE ORDER DT. 14-9-99 WAS LEGAL AND JUSTIFIED? IF NOT, WHAT RELIEF THE WORKMAN IS ENTITLED TO?”

Worker's case in brief is that he was employed by Divisional Engineer, Telecom, Raebareilly w.e.f. 7-2-99 as Guard (Suraksha Karmi). It is also alleged that he was terminated on 14-9-99 without observing the provision under Section 25F. It is submitted that the worker continuously worked for 7 months before his termination. It is also alleged that worker has not been provided any notice, notice pay or compensation. According to the allegation in the statement of claim the juniors to the worker have been retained in the services where as he has been retrenched. It is also alleged that new hands have been deployed in his place. The worker has therefore prayed that termination order be set aside and the worker be reinstated in the service with all consequential benefits.

The opposite party has filed written statement and has submitted that the opposite party is not industry and hence the provisions of I.D. Act., 1947 cannot be invoked. It is further submitted that worker was engaged by the contractor M/s Security & Protection Services S/2 44A Gayatri Nagar Colony, Taktakpur, Varanasi and thus the worker was never on the rolls of the opposite party. The termination of if any, was to be made by the contractor/supplier and not by the opposite party. It is also submitted that the opposite party had never examined/tested/selected the worker for any post. It is alleged that the entire claim of the worker is misconceived and hence liable to be rejected. Regarding the alleged date of termination of services of the worker as 14-9-99 is also misconceived and misconstrued as opposite party had informed M/s Security and Protection Services that it was not possible to the Opposite party to extend the period of contract and, therefore, it should seize the work.

Opposite party has filed photo copy of letter of Sri S.N. Singh, Director, Security and Protection Services, Varanasi dt. 9-5-2000 address to Asstt. Labour Commissioner (C) Lucknow along with the photo state copy of agreement has filed unsigned rejoinder.

Following dates were fixed for evidence;

1. 17-7-2003 (2) 28-7-2003 (3) 4-8-2003 (4) 8-9-2003 (5) 24-11-2003 (6) 12-3-2004 (7) 16-6-2004 (8) 2-9-2004 (9) 1-11-2004 (10) 12-1-2005 (11) 20-4-2005 (12) 20-4-2005

On 12-1-2005 the worker was warned that no further adjournment shall be allowed, but the worker remained absent on 20-4-2005 accordingly the worker's representative application dt. 20-4-2005 was not allowed and 10-8-2005 was fixed for the evidence of the opposite party. On 7-8-2005 the representative of the worker moved an application for setting aside the order dt. 20-4-2005 stating that the worker was sick on 20-4-2005 and therefore he could not appear in the case and could not produce his evidence. However, no affidavit or medical certificate filed in respect of the sickness of the worker. On 7-12-05 none appeared on behalf of the worker, the court passed the order directing the worker to file medical certificate and affidavit in support of application C-27 but the worker failed to comply the order and therefore application of the representative of the worker was rejected on 26-12-05.

None appeared for the argument.

Perused the file (pleadings) and the documents of the opposite party.

The worker has failed to prove that he was appointed by the opposite party on 7-2-99 Worker has also failed to prove that he continuously worked for 7 months and on 14-9-99 his services were terminated. He has also failed to prove the relationship of employee and employer between the parties. On the other hand the opposite party has alleged that worker might have been engaged by the Security Agency and not by the opposite party.

In the circumstances it is not proved that the worker was employed by the opposite party or he was terminated by the opposite party. The issue is answered accordingly. The worker is not entitled to any relief.

LUCKNOW
26-6-2006

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 29 जून, 2006

का.आ. 2923.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में/श्रम न्यायालय भीलवाड़ा के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-6-06 को प्राप्त हुआ था।

[सं. एल-40012/70/2004-आई आर (डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 29th June, 2006.

S.O. 2923.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award of the Labour Court, Bhilwara as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 29-6-2006.

[No. L-40012/70/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

अनुबंध

श्रम न्यायालय, भीलवाड़ा (राज)

पीठासीन अधिकारी- एम. एल. शर्मा-प्रबन्ध, आर. एच. जे. एस.

श्रम विवाद प्रकरण संख्या: 1/05

श्री रमेश चन्द चौबे पुत्र श्री सहजराज चौबे,
निवासी-गंगापुर, तह. सहाड़ा, जिला-भीलवाड़ा।

..... आवेदक

बनाम

चीफ जनरल मैनेजर, टेलीकोम, बी. एस. एन. एल.,
भीलवाड़ा।

.....अनावेदक

उपस्थित

श्री आर. सी. चेचाणी, अधिवक्ता-आवेदक की ओर से।

श्री के. सी. काट, अधिवक्ता-अनावेदक की ओर से।

पंचाट:

दिनांक 31.3. 2006

1. भारत सरकार के श्रम मंत्रालय ने अधिसूचना संख्या: 40012/70 2004-आईआर (डी यू) दिनांक 4-11-2004 के द्वारा औद्योगिक विवाद अधि. 1947 की धारा 10(1) (ग) के तहत निम्न विवाद इस न्यायालय को अधिनिर्णयार्थ प्रेषित किया:-

"Whether the action of the management of General Manager Bharat Sanchar Nigam Ltd, Bhilwara in terminating the services of their workman Shri Ramesh Chand Choube, Part Time Sweeper w.e.f. 1-9-2000 is legal and justified? If not, to what relief the workman is entitled?"

2. उपर्युक्तानुसार विवाद दिनांक 29-11-2004 को प्राप्त होने पर क्रम संख्या 1/05 पर दर्ज हुआ तथा पक्षकारों को सूचित किया गया।

3. दिनांक 12-1-2005 को प्रस्तुत स्टेटमेंट आफ क्लेम के मुताबिक आवेदक जून 90 में स्वीपर का चौकीदार के पद पर नियोजित किया गया तथा उसने दिनांक 31-8-2000 तक निरंतर कार्य

किया आवेदक के सेवाकाल के दौरान समय-समय पर उसका नाम बदल कर भुगतान किया गया तथा उसके द्वारा विरोध किये जाने पर उसे दिनांक 1-9-2000 से सेवा से पृथक कर दिया गया। आवेदक ने अधि. 1947 की धारा 25 (बी) के तहत निरंतर कार्य किया, लेकिन 10 वर्ष तक निरंतर कार्य किये जाने के बावजूद उसे अवैध रूप से सेवा से पृथक कर दिया गया। सेवा पृथक्करण के वक्त "लास्ट कम, फर्स्ट गो" के सिद्धांत का ध्यान नहीं रखा गया। सेवा पृथक्करण से पूर्व अधि. 1947 की धारा 25 (एफ) के तहत प्रावधान की पालना नहीं की गई। आवेदक ने निवेदन किया कि उसे समस्त लाभ सहित सेवा में पुनः नियोजित किया जाये।

4. अनावेदक निगम की तरफ से दिनांक 11-2-2005 को प्रस्तुत जवाब में उल्लेख किया गया कि आवेदक को पार्टटाईम स्वीपर के पद पर नियोजित नहीं किया गया तथा नाही उसने अनावेदक निगम में कोई कार्य किया। अनावेदक निगम में कर्मचारियों की भर्ती व नियोजन के संबंध में निगम बने हुए हैं तथा नियमों के तहत प्रक्रिया के पश्चात् ही कोई नियुक्ति संभव है। आवेदक को अनावेदक द्वारा सेवा से पृथक नहीं किया गया। अनावेदक ने अधि. 1947 के तहत किसी प्रावधान का उल्लंघन नहीं दिया है तथा आवेदक को किसी प्रावधान का लाभ देय नहीं है। अनावेदक निगम ने निवेदन किया कि आवेदक की तरफ से प्रस्तुत क्लेम खारिज किये जाने योग्य है।

5. क्लेम के समर्थन में स्वयं आवेदक व गवाह जीत मल के शपथ पत्र पेश हुए उनसे अनावेदक की तरफ से जिरह हुई। जवाब के समर्थन में जिरेंद्र कुमार, चन्द्र प्रकाश, व हीरा लाल के शपथ पत्र पेश हुए उनसे आवेदक की तरफ से जिरह हुई।

6. बहस अंतिम उभयपक्ष सुनी। उभयपक्ष की तरफ से लिखित बहस भी पेश हुई। पत्रावली का ध्यानपूर्वक अवलोकन किया।

7. आवेदक की तरफ से जाहिर किया गया कि आवेदक ने अनावेदक के अधीन जून 90 से 31-8-2000 तक स्वीपर कम चौकीदार के पद पर कार्य किया। उसकी यह कार्याविधि अधि. 1947 की धारा 25 (बी) के तहत निरंतर कार्य की तारीफ में आती है। आवेदक द्वारा 10 वर्ष तक निरंतर कार्य किये जाने के बावजूद आवेदक को अधि. 1947 की धारा 25 एफ, जी व एच के तहत, प्रावधानों के उल्लंघन में सेवा से पृथक कर दिया। अनावेदक की तरफ से प्रस्तुत साक्ष्य विश्वसनीय नहीं है। आवेदक की तरफ से प्रस्तुत मौखिक व दस्तावेजी साक्ष्य से आवेदक द्वारा निरंतर कार्य किया जाना स्पष्ट है। आवेदक को अवैध रूप से सेवा से पृथक किये जाने की स्थिति में आवेदक समस्त लाभ सहित सेवा में पुनः नियोजन का अधिकारी है।

8. अनावेदक की तरफ से बतलाया गया कि आवेदक को अनावेदक द्वारा कभी नियोजित नहीं किया गया तथा न ही आवेदक ने अनावेदक के अधीन कभी कोई कार्य किया। आवेदक जिस जे.टी.ओ. द्वारा कार्य पर रखा बतलाता है उस जे.टी.ओ. ने शपथ पर इस बात से इनकार किया है कि आवेदक को उसने कार्य पर रखा। अनावेदक नियम में सीधी भर्ती हेतु निर्धारित प्रक्रिया है तथा उस

प्रक्रिया के तहत ही कोई नियोजन संभव है। गंगापुर में स्वीपर कम चौकीदार का कोई स्वीकृत पद नहीं है। आवेदक द्वारा गत कलेंडर वर्ष में 240 दिन तक कार्य किया जाना सिद्ध नहीं है। आवेदक की तरफ से कोई संतोषजनक साक्ष्य पेश नहीं हुई है। पेश किये गये दस्तावेज आवेदक सहायक नहीं है। योग्य वकील अनावेदक के मतानुसार आवेदक कोई राहत पाने का अधिकारी नहीं है। समर्थन में न्यायिक विनिश्चय रेंज फोरेस्ट आफिसर बनाम एस. टी. हडिमनी ए. आई.आर. 2002 (एस.सी.) पेज 1147 पेश किया।

9. आवेदक की तरफ से प्रस्तुत स्टेटमेंट आफ क्लेम के पैरा सं. एक में उल्लेख है कि 'प्रार्थी' को विपक्षी नियोजक ने अपने अधीन जून, 1990 से स्वीपर कम चौकीदार के पद पर नियोजित किया, तभी से प्रार्थी ने लगातार नियमित रूप से 31-8-2000 तक मेहनत एवं ईमानदारी से अपनी ड्यूटी अंजाम दी है। क्लेम से यह स्पष्ट नहीं होता कि आवेदक को अनावेदक भारतीय संचार निगम के किस अधिकारी ने कब, किस तरह से नियोजित किया तथा आवेदक ने जून 90 से 31-8-2000 तक किस अवधि में कहाँ क्या कार्य किया। आवेदक ने अपने शपथ पत्र के पैरा सं. एक में भी अंकित किया कि "विपक्षी ने मुझे अपने अधीन जून, 1990 से स्वीपर कम चौकीदार के पद पर नियोजित किया तभी से मैंने विपक्षी के यहाँ मेहनत एवं ईमानदारी से 31-8-2000 तक निरंतर व नियमित रूप से ड्यूटी अंजाम दी है।" आवेदक ने अपने शपथ पत्र में भी यह स्पष्ट नहीं किया कि उसे जून, 90 में अनावेदक के किस अधिकारी ने किस तरह से नियोजित किया तथा उसके द्वारा जून, 90 से 31-8-2000 तक की अवधि में कहाँ कार्य किया गया। उल्लेखनीय है कि रेफरेंस के मुताबिक आवेदक के सेवा पृथक्करण के संबंध में विवाद टेलीकोम, बी.एस.एन.एल. के प्रबंधन व आवेदक के मध्य उत्पन्न हुआ तथा इस विवाद में आवेदक ने क्लेम में भारतीय संचार निगम के जरिए चीफ जनरल मैनेजर, टेलीकोम, बी.एस.एन.एल. को पक्षकार बनाया है। इस परिपेक्ष्य में यदि क्लेम व आवेदक के शपथ पत्र पर विचार किया जाये तो प्रकट होता है कि आवेदक को अनावेदक चीफ जनरल मैनेजर बी.एस.एन.एल. भीलवाड़ा द्वारा किया गया, लेकिन आवेदक ने जिरह में बतलाया कि "मुझे जून, 90 में वी. के. अग्रवाल जे.टी.ओ. ने कार्य पर रखा था। आवेदक ने यह स्वीकार किया कि उसे कोई लिखित आदेश नहीं दिया गया तथा उसे पार्ट टाइम के नाम पर रखा लेकिन विरेन्द्र कुमार अग्रवाल अनावेदक की तरफ से बतौर गवाह पेश हुआ है तथा उसने अपने शपथ पत्र में स्पष्ट रूप से अंकित किया है कि उसे स्वीपर, चौकीदार नियोजित करने का अधिकार नहीं था एवं न ही उसने आवेदक को जून 90 में स्वीपर कम चौकीदार के पद पर नियोजित किया। इस गवाह के शपथ पत्र के पैरा सं. 3 में उल्लेख है कि मैं रमेश चंद्र चौबे आत्मज सहजराज जी चौबे, निवासी-गंगापुर, तहसील सहाड़ा, जिला-भीलवाड़ा को मैंने जून, 90 में स्वीपर कम चौकीदार के पद पर नियोजित नहीं किया है तथा उक्त पद पर नियोजित करने का मुझे अधिकार भी भारत सरकार से प्राप्त नहीं है। "आवेदक ने जिरह में बतलाया कि 114 रु. महीना देते थे। हाजरी, रसीद एसीजी 17 पर करते थे। हर महीने भुगतान होता था। नियोजन व भुगतान के संबंध में मेरे पास

कोई दस्तावेज नहीं है।" आवेदक के भुगतान व उपस्थिति के संबंध में कोई संतोषजनक प्रमाण आवेदक की तरफ से पेश नहीं हुए हैं। दिनांक 2-8-2005 को आवेदक की तरफ से कुछ दस्तावेजात की फोटो प्रतियां प्रदर्श 1 से प्रदर्श 18 पेश हुईं, लेकिन यह प्रतियां किसी तरह से सत्यापित या प्रमाणित नहीं हैं तथा न ही यह स्पष्ट हो पाया है कि आवेदक को ये प्रतियां कैसे प्राप्त हुईं एवं उसने इन प्रतियों को समय पर पेश क्यों नहीं किया। उल्लेखनीय है कि आवेदक ने अपने क्लेम तथा शपथ पत्र में इस तरह की प्रतियों का कोई हवाला नहीं दिया तथा जिरह में दिनांक 19-7-2005 को उसने कहा था कि नियोजन व भुगतान के संबंध में उसके पास कोई दस्तावेज नहीं है। इस तरह की स्थिति में जब दिनांक 19-7-2005 को आवेदक के पास नियोजन व भुगतान के संबंध में कोई दस्तावेज नहीं थे तो स्पष्ट किया जाना चाहिये था कि दिनांक 2-8-2005 को आवेदक की तरफ से कथित दस्तावेज प्रदर्श 1 से 17 पेश किया जाना कैसे संभव हुआ। अनावेदक की तरफ से प्रस्तुत गवाह होने ने दस्तावेज प्रदर्श 18 के अलावा शेष दस्तावेज सही होना बतलाया है। आवेदक की तरफ से पेश की गई साक्ष्य में तो ये दस्तावेज प्रदर्श नहीं हुए तथा अनावेदक साक्ष्य में ये दस्तावेज प्रदर्श हुए हैं, लेकिन दस्तावेज प्रदर्श 1 व प्रदर्श 4 पर गवाह विरेन्द्र सिंह ने अपने हस्ताक्षर होना नहीं बतलाया है तथा शेष दस्तावेज भी नियमानुसार सिद्ध नहीं हुए हैं ये दस्तावेजात किसी तरह से सत्यापित/प्रमाणित नहीं होने की स्थिति में इस तरह के दस्तावेजात का कोई महत्व नहीं है।

10. यदि आवेदक की तरफ से प्रस्तुत दस्तावेजात पर विचार किया जाये तो सभी ये दस्तावेजात मेरी राय में आवेदक की इस मामले में सहायक नहीं है। दस्तावेजात प्रदर्श पत्र दिनांक 27-2-92 की प्रति है। यह पत्र दूरसंचार अधिकारी द्वारा भीलवाड़ा कार्यालय को प्रेषित किया गया। जिसमें उल्लेख है कि रमेश चन्द्र को जुलाई 90 से 114 रु. प्रति माह की दर से ए सी पी 17 पर भुगतान किया गया तथा भत्ते में समय-समय पर वृद्धि की वजह से उसके द्वारा अंतर राशि चाही गई है। इस पत्र के जवाब की प्रति प्रदर्श 2 में उल्लेख है कि रमेश चन्द्र को दूर संचार अधिकारी द्वारा स्वयं के स्तर पर लगाया गया था। जिस स्थिति में उपमंडल कार्यालय द्वारा उसे भुगतान किया जाना संभव नहीं है। जुलाई 90 से आवेदकों ए सी जी 17 पर भुगतान किये जाने बाबत कोई प्रमाण पेश नहीं हुआ है। प्रदर्श 3 उप मंडल अभियंता, गंगापुर द्वारा मंडल अभियंता, भीलवाड़ा को प्रेषित पत्र दिनांक 9-4-2001 की प्रति है। जिसमें उल्लेख है कि आवेदक को दिनांक 1-9-2000 से 21-9-2000 तक रात्रि में चौकीदार व इंजिन चलाने के लिए रखा गया। जिसकी स्वीकृति प्रदान की जाये। स्वीकृति प्रदान किये जाने के संबंध में कोई आधार पत्रावली पर नहीं है तथा इस पत्र में आवेदक द्वारा मात्र 21 दिन कार्य किये जाने का उल्लेख है। प्रदर्श 4 स्वयं आवेदक द्वारा दिनांक 18-8-93 को प्रेषित आवेदन पत्र की प्रति है जिसमें वह दिनांक 18-8-90 को अनुपस्थित होने का हवाला है। प्रदर्श 5 से 17 भुगतान प्रपत्र की प्रतियां हैं जिनके मुताबिक आवेदक को अप्रैल 95, मई 95, नवंबर 95, मई 97, जून 97, अगस्त 98 से दिसंबर 98 में सफाई कार्य हेतु भुगतान किया गया। यद्यपि इन दस्तावेजात में वर्णानुसार कोई उल्लेख आवेदक की तरफ से प्रस्तुत

क्लेम तथा उसके शपथ पत्र में नहीं है, लेकिन इन दस्तावेजात से भी यह सिद्ध नहीं होता कि आवेदक ने उसके सेवा पृथक्करण की तिथि 1-9-2000 से गत एक कलेंडर वर्ष में एक निरंतर कार्य किया या 240 दिन तक निरंतर कार्य किया। इन दस्तावेजात प्रदर्श 5 से 17 में आवेदक द्वारा वर्ष 95 में 3 माह, वर्ष 97 में 2 माह तथा वर्ष 98 में 5 माह कार्य किये जाने का उल्लेख है तथा इस कार्य में निरंतरता नहीं है न्यायिक विनिश्चय मै. यू. पी. ड्रग्स एंड फार्मास्यूटिकल्स लि. बनाम रामानुज 2003 (99) एफ. एल. आर. पेज 331 (एस. सी. में न्यायिक विनिश्चय मोहन लाल बनाम मेनेजमेंट 1981 (42) एफ. एल. आर. पेज 389 (एस.सी.) का हवाला देते हुए माननीय उच्चतम न्यायालय ने अधि. 1947 की धारा 25 (बी) के तहत मत एक कलेंडर वर्ष तक निरंतरकार्य किये जाने के संबंध में अभिनिर्धारित किया कि—

"CI. 2 (a) provides for a fiction to treat a workman in continuous service for a period of one year despite the fact has not rendered uninterrupted service for a period of one year but he has rendered service for a period of 240 days during the period of 12 calendar months counting backward and just preceding the relevant date the date of retrenchment."

विचाराधीन मामलों में आवेदक को दिनांक 1-9-2000 को सेवा से पृथक् किया जाना बतलाया गया है तथा दिनांक 1-9-2000 से गत एक कलेंडर वर्ष में आवेदक द्वारा अधि. 1947 की धारा 25 (बी) के तहत निरंतर कार्य किया जाना सिद्ध नहीं है।

11. आवेदक ने जिरह में कहा है कि "यह सही है कि काम में करता था भुगतान ख्याली लाल को किया जाता था। मैंने एस. डी. को मौखिक शिकायत की थी। तब मुझे निकाल दिया। शिकायत की तारीख नहीं बता सकता। "यह कैसे संभव है कि कार्य आवेदक करे तथा भुगतान किसी अन्य को किया जाये। आवेदक ने स्पष्ट नहीं किया कि उसने इस संबंध में एस. पी. को शिकायत कब की। आवेदक के कथनानुसार उसके द्वारा शिकायत किये जाने पर उसे निकाल दिया। जिसका तात्पर्य यह हुआ कि उसने यह शिकायत दिनांक 1-9-2000 को या इसके आसपास की, जबकि स्वयं आवेदक के कथनानुसार वह जून 90 में कार्य कर रहा था। क्या यह संभव है कि जून 90 से 1-9-2000 तक आवेदक के कार्य के बदले किसी अन्य को भुगतान किया गया तथा आवेदक मूक दर्शक बना रहा एवं वह स्वयं आवेदक द्वारा बिना मेहनताना कार्य करत रहा। आवेदक ने यह भी बतलाया है कि उससे पूर्व कैलाश चन्द्र चोबे कार्य करता था तथा उसके द्वारा त्याग पत्र दिये जाने पर उसे लगाया गया, लेकिन इस संबंध में भी कोई संतोषजनक प्रमाण पत्रावली पर उपलब्ध नहीं है। आवेदक की तरफ से प्रस्तुत गवाह जीत मल का कथन भी आवेदक को सहायक होना प्रतीत नहीं होता। इस गवाह ने शपथ पत्र में यह स्पष्ट नहीं किया कि उसने दूर संचार विभाग में किस स्थान पर कार्य किया। जिरह में गवाह ने कहा कि वह चितौड़गढ़ से सेवा निवृत्त हुआ। गवाह ने यह भी बतलाया कि जून 97 में उसका भीलवाड़ा से चितौड़गढ़ स्थानांतरण हुआ। गवाह के शपथ पत्र के मुताबिक आवेदक ने जून 90 से स्वीपर कम चौकीदार के पद पर कार्य किया, लेकिन जब गवाह का जून 97 में भीलवाड़ा से स्थानांतरण हो गया तो गवाह को जून 97 के पश्चात् आवेदक द्वारा कार्य किये जाने की जानकारी कैसे

हुई। “यही नहीं गवाह ने जिरह में बतलाया कि स्वयं आवेदक के कथनानुसार एक माह का भुगतान ख्याली लाल को किया गया, जबकि आवेदक ने जिरह में कहा कि “कार्य में करता था तथा भुगतान ख्याली लाल को किया जाता था।”

12. अधि. 1947 की धारा 25 (एफ) के तहत प्रावधान का लाभ उसी श्रमिक को देय है— जिसने अधि. 1947 की धारा 25 (बी) के तहत आशयित निरंतर कार्य किया एवं उस श्रमिक की अधि. 1947 की धारा 2(ओ ओ) में निहित प्रावधान के अनुरूप छंटनी की गई। विधि की यह स्थिति स्पष्ट है कि किसी श्रमिक को धारा 2 (ओ ओ) में वर्णित अपवादों के अलावा सेवा से पृथक किया जाना उसका सेवा पृथक्करण छंटनी की तारीफ में आता है, लेकिन इस तरह की छंटनी के लिए यह सिद्ध होना आवश्यक है कि नियोजक द्वारा श्रमिक को सेवा से पृथक किया गया। विचाराधीन मामले में स्पष्ट नहीं हो पाया है कि आवेदक को दिनांक 1-9-2000 को टेलीकोम बी.एस.एन.एल. के प्रबंधन अनावेदक भारतीय संचार निगम या चीफ जनरल मैनेजर, टेलीकोम, बी. एस. एन.एल. कार्यालय के किस अधिकारी ने किस तरह से सेवा से पृथक किया। न्यायिक विनिश्चय एस.एस. सोलंकी बनाम रा एंड फिनिशिंग प्रोडक्शन 2000 लेब. आई.सी. पेज 1310 (राज.) में माननीय राज. उच्च न्यायालय ने निर्णय के पैरा सं. 6 में उल्लेख किया कि “It will be seen from the analysis as made by the Hon'ble S.C. that termination of service of the workman by the employer is an essential requirement. This dicta of the S.C. in AIR 1957 SC 121 has not been reserved any time thereafter.”

यह स्पष्ट है कि आवेदक को किसी निर्धारित प्रक्रिया के तहत कोई नियमित नियोजन नहीं दिया गया। दस्तावेजात प्रदर्श 18 के मुताबिक फरवरी 2001 में गंगापुर में वाटर लेडी के रूप में नजर बाई कार्यरत थी। कोई वजह नहीं है कि यदि आवेदक द्वारा जून 90 से 31-8-2000 तक निरंतर कार्य किये जाने वाली बात सही होती तो उसका अभिलेख पेश नहीं किया जाता। आवेदक के नियोजन के संबंध में कोई प्रमाण पेश नहीं हुआ है। विधि की यह स्थिति स्पष्ट है कि अधि. 1947 की धारा 25(बी) के तहत आशयित 240 दिन तक कार्य किये जाने बाबत तथ्य को सिद्ध करने का भार श्रमिक पर है। इस संबंध में न्यायिक विनिश्चय रेंज फोरेस्ट आफिसर बनाम एस.टी. हडीमनी ए. आई. आर. 2002 (एस.सी.) पेज 1147 उल्लेखनीय है। माननीय उच्चतम न्यायालय ने निर्णय के पैरा सं. 3 में अभिनिर्धारित किया कि— “In our opinion the Tribunal was not right in placing the onus on the management without first determining on the basis of cogent evidence that the respondent had worked for more than 240 days the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the Appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that cannot be regarded as sufficient evidence for any Court or Tribunal to come to the conclusion that a workman had, in fact, worked for

240 days in a year. No proof of receipt of salary or wages for 240 days or order or record of appointment or enagement for this period was produced by the workman. On this ground alone, the award is liable to be set aside.”

राज्य सरकार द्वारा प्रेषित विवाद निम्न तरह से निर्णित किया जाता है —

आवेदक रमेश चन्द्र को अनावेदक भारत संचार निगम लि. भीलवाड़ा द्वारा जून 90 में पार्ट टाइम स्वीपर के रूप में नियोजित किया जाना तथा उसे दिनांक 1-9-2000 से सेवा से पृथक किया जाना सिद्ध नहीं है तथा न ही आवेदक द्वारा अधि. 1947 की धारा 25 (बी) के तहत आशयित निरंतर कार्य किया जाना सिद्ध है। आवेदक कोई राहत प्राप्त करने का अधिकारी नहीं है।

उपर्युक्तानुसार पंचाट जारी किया जाता है।

पंचाट आज दिनांक 31-3-06 को खुले न्यायालय में लिखा जा जाकर सुनाया गया।

एम. एल. शर्मा—प्रथम, न्यायाधीश

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2924.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई आई एस सी ओ के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-I के पंचाट (संदर्भ संख्या 59/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-20012/494/2000-आईआर (सी.-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th July, 2006

S.O. 2924.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of IISCO and their workman, which was received by the Central Government on 4-7-2006.

[No. L-20012/494/2000-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

**THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT (NO.1),
DHANBAD**

In the matter of a reference under section 10(1) (d) &
(2A) of Industrial Disputes Act, 1947

REFERENCE NO. 59 OF 2001

Parties : Employers in relation to the management of
Chasnalla Colliery of M/s. IISCO Ltd.

AND

Their workmen

Present : Shri Sarju Prasad, Presiding Officer.

For the Employers : Shri D. K. Verma, Adv.

For the Workman : Shri S. N. Goswami, Adv.

State : Jharkhand **Industry :** Coal

Dated, the 23rd June, 2006

AWARD

1. By order No. L. 20012/494/2000 (C-I), dated, 19th Feb. 2001 the Central Government in the Ministry of Labour has, in exercise of power conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of M/s. IISCO in transferring 111 workmen (as per list) of Rope Way section of Chasnalla Colliery to Burntpura Steel Plant, Burnpur (W.B.) is justified, legal and proper? If not, to what relief are the workman entitled”

2. This reference case is pending for evidence of workmen since 2nd April, 2003 but till date no evidence has been adduced from the side of the workmen. On the contrary on different dates some of the concerned workmen had filed application stating therein that they do not want to contest the case. Therefore, their names may be withdrawn from the dispute.

Sri S. N. Goswami, Advocate, who is present in the Court today submits that he has got no instruction from the side of the concerned workmen or from the side of the sponsoring union.

In such circumstances, it appears that neither the sponsoring union nor the concerned workman are intrusted to contest the dispute. Therefore, I render a No Dispute Award.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006 .

का.आ. 2925.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-I के पंचाट (संदर्भ संख्या 96/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-20012/106/92-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th July, 2006

S.O. 2925.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 96/97) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-I as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 4-7-2006.

[No. L-20012/106/92-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

**THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT (NO.1),
DHANBAD**

In the matter of a reference under section 10(1) (d) &
(2A) of Industrial Disputes Act, 1947

REFERENCE NO. 96 OF 1997

Parties : Employers in relation to the management of
Bastacolla Colliery of M/s. BCCL

AND

Their workmen

Present : Shri Sarju Prasad, Presiding Officer.

APPEARANCES:

For the Employers : Shri R. N. Ganrully, Adv.

For the Workman : Shri G. Prasad, Adv.

State : Jharkhand **Industry :** Coal

Dated, the 23rd June, 2006

AWARD

1. By order No. L. 20012/106/92/IR (C-I), dated, 8th April, 1997 the Central Government in the Ministry of Labour

has, in exercise of power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :—

“Whether the claim of the union that S/Sh. Ram Prasad Nonia and 288 others (as per list enclosed) were working as casual wagon loaders with the management of Bastacolla Colliery of M/s. BCCL during the year 1974—76 is correct? If so, whether demand by the union for the employment of these persons on the basis of Circular No. D (P)/PS/86/2649-949(H) dated, 9-5-1986 is legal and justified? If so, to what relief are these persons entitled?”

2. From the record it appears that this reference case is pending for filing rejoinder and document by the workmen/sponsoring union since 1-10-2002. But they are not taking any step since then. Sri G. Prasad Advocate, by filing petition on 15-12-2003 withdrawn his authority. Thereafter, notices were sent to the sponsoring union. But yet, no one has appeared from the side of the sponsoring union or the concerned workmen. Therefore, it is clear that they are not interested in prosecuting dispute.

Therefore, I render a No Dispute Award in this case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2926.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-I के पंचाट (संदर्भ संख्या 256/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-20012/447/2001-आई आर (सी.-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th July, 2006

S.O. 2926.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 256/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-I as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 4-7-2006.

[No. L-20012/447/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT (NO.1), DHANBAD

In the matter of a reference under section 10(1) (d) & (2A) of Industrial Disputes Act, 1947

REFERENCE NO. 256 OF 2001

Parties : Employers in relation to the management of Block II Area of M/s. BCCL

AND

Their workmen

PRESENT : Shri SARJU PRASAD, Presiding Officer.

APPEARANCES :

For the Employers : Shri D. K. Verma, Adv.

For the Workman : Shri S. C. Gour, Adv.

State : Jharkhand Industry : Coal

Dated, the 23rd June, 2006

AWARD

1. By Order No. L. 20012/447/2001 dated, 29-11-2001 the Central Government in the Ministry of Labour has, in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :—

“क्या कोयला इस्पात मजदूर पंचायत की भा. को. को. लि. ब्लॉक II क्षेत्र के प्रबंधन ने माना कि स्वर्णश्री छोन भुदखी सहदेओं दास, हाफिज मियां, कृष्ण रणबार खौं सन्निहार भुस्यां को 1993 से टिंडल के पद पर नियमित किया जाए तथा कैट VI का वेतन दिया जाए उचित एवं न्यायसंगत है ?

“यदि हाँ तो कर्मकार किस राहत के पात्र हैं तथा किस तारीख से?

2. This reference case is pending for evidence of the workman since 12-8-2003, inspite of serveral adjournment the concerned workmen have not adduced any evidence. Sri S. C. Gour, Advocate, who was representing the concerned workmen submits that the workman are not turning up for long period and they are not interested to contest this case.

In the result, I render a No Dispute Award.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 3 जुलाई, 2006

SCHEDULE

का.आ. 2927.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलौर के पंचाट (संदर्भ संख्या 17/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-2006 को प्राप्त हुआ था।

[सं. एल-12012/85/98-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd July, 2006

S.O. 2927.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 17/99) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 3-7-2006.

[No. L-12012/85/98-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
BANGALORE**

Dated : 16th June, 2006

PRESENT:

Shri A. R. SIDDIQUI, Presiding Officer

C. R. No. 17/99

I PARTY

Shri M. Kannabiran,
S/o Shri Muniswamy,
Door No. 21, Veelmurugapuram,
Dr. T.C.M. Rayan Road,
BANGALORE-9

II PARTY

The Regional Manager,
State Bank, of India,
St. Marks Road,
BANGALORE-01

AWARD

I. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/85/98-IR(B-I) dated 9th February, 1999 for adjudication on the following schedule:

"Whether the contention of the workman Shri M. Kannabiran that the action of the management of State Bank of India in refusing employment to him amounts to violation of Section 25(F), 25(G) and 25(H) of the ID Act, 1947 and the same amounts to retrenchment under section 2(oo) of the said Act, is legal and justified? If so, to what relief the said workman is entitled?"

2. The case of the first party workman, as made out in the Claim Statement, to put in nutshell, is that having studied upto 9th standard he got his name registered with the local employment exchange and his name being sponsored through Employment Exchange he was called for interview by the management on 13-3-1982 and being selected in the interview was appointed as a Messenger on 25-3-1982. He continued to work with the management for about 91 days and on 23rd June 1982 his services were terminated by the management; that once again he received the interview call on 26-6-1985 for the post of Messenger but was not selected despite having required qualifications; that he was again appointed as Messenger w.e.f. 19-7-1994 and worked with the management continuously up till 27th March 1996, however for no good reasons he was refused employment w.e.f. 27th March, 1996. Therefore, since he worked for a period of more than 240 days in each of the calendar year as defined under section 25B of the ID Act the termination amounts to retrenchment as defined under Section 2(oo) of the ID Act there being no compliance of the provisions of Section 25F of the ID Act and that his termination was also in violation of the provisions of Section 5(G, H & N) of the ID Act. Therefore, he requested this tribunal to pass an award in his favour for the reinstatement, back wages and other consequential benefits.

3. The management by its Counter Statement, not disputing the fact that the first party workman worked at its overseas branch as temporary Messenger for 91 days however, contended that it was purely on temporary basis working in a leave vacancy of a permanent employee. He was never selected not appointed for any permanent post and for the appointment of permanent post the management is governed by the Bipartite Settlement dated 17-11-1987 which settlement does not provide a provision to absorb a temporary workman; that the first party was interviewed for the purpose of absorption of his services and since he did not satisfy the requirements of the Board holding the interview, he was not selected and therefore, he cannot make any grievance for his not being selected despite interview conducted. The management further contended that at no point of time the first party has worked for a period of 240 days and more within a period of 12 calendar months as claimed by him. It contended that for filling up of the existing vacancies the subordinate

staff interviewed and interview were conducted for temporary employees who had put in 30 days of temporary service in 12 calendar months or 70 days in 36 months between 1-7-1975 and 31-7-1988 and accordingly the successful candidates were absorbed and appointed in the existing vacancies and therefore, vacancies being filled up services of the first party were no longer required and therefore, it cannot be said it was a case of termination or retrenchment attracting the provisions of Section 2(o) and Section 25F (a & b) of the ID Act and hence reference is to be rejected.

4. During the course of trial, the management examined two witnesses as MW 1 & 2 and whereas, first party examined himself as WW1 and got marked 12 documents at Ex. W1 to W12. His statement in further examination chief with reference to the documents is as under :—

"I am joining appointment ones as Messenger, it is marked as Ex. W1. Ex. W2 is the cover. Ex. W3 is certificate. Ex. W4 is letter of absorption. Ex. W5 is letter dated 26-6-1985. Ex. W6 is appointment Order. Ex. W7 is letter dated 9-2-1995. Ex. W8 is certificate. Ex. W9 is letter dated 9-3-1996. Ex. W10 is letter dated 18-3-1997. Ex. W11 is letter dated 21-6-1996. Ex. W12 is copy. I was going to the bank daily at 9 A.M. If there was no work I use to go back. They were paying salary for national holiday. I was not paid salary on Sundays."

5. After hearing the learned counsels for the respective parties, my learned Predecessor by his award dated 7th March, 2002 allowed the reference partly with a direction to the management to regularize the services of the workman if he fulfils the necessary conditions, denying all other benefits. Aggrieved by this award the first party challenged the same before the Hon'ble High Court in Writ Petition No. 45896 of 2002 (L-TER). His Lordship of Hon'ble High Court quashed the award passed by this tribunal and remanded the matter back to this Tribunal for fresh disposal giving opportunity to both the parties to file their additional pleadings and adduce their additional evidence. After the remand the matter was taken up before this tribunal once again and both learned counsels for the management and the first party submitted that they have no additional pleadings and additional evidence to be led. Thereupon, I have heard the learned counsels on merits and proceeded to pass the award.

6. Oral testimony of MWs 1&2 and WW1 is almost on the line of their respective contentions made in their pleadings.

7. Learned counsel for the management vehemently argued that provisions of Section 2(o) read with Section 25F of the ID Act are not attracted in the present case as the first party has not worked for a period of 240 days and more in a particular calendar year much less during the period of 12 calendar months immediately preceding the date of his alleged refusal to the work. He relied upon the statement of MWs 1&2 in that regard.

8. Whereas, learned counsel for the first party argued that though the first party has been in continuous service of the management right from the year 1982 till March 1996, of course, with break in service in between, but he is unable to produce any documentary evidence to suggest that in between the year 1985 to 1994 he was under the employment of the management. However, learned counsel submitted that as per the documents produced by the first party which are the letters and certificates issued by the respective Branch Managers of the management Bank not disputed and cannot be disputed by the management, it can be very well established that he was in the service of the management during the year 1982 for a period of 91 days and thereafter he was in the service of the management bank during the years 1994, 1995 and 1996. Learned counsel in order to substantiate his contention that the first party worked for a period of 240 days and more during 12 calendar months, mainly, relied upon the two certificates at Ext. W7 & 8 dated 9-2-1995 and 28-01-1995. He submitted that the first party having rejoined the services of the management as a temporary Sweeper-cum-Water Boy on 19-7-1994 worked upto 31-1-1995 i.e. for a period of 196 days as per Ex. W7 and once again he was employed by the management for the months of April 1995 to August 1995 and he worked for a period of 30 days in the month of April 1995 and 31 days in the month of May 1995 and 30 days in the month of June 1995 and thereby in between July 1994 and June 1995 he worked for a period of 287 days and therefore, he fulfilled the requirements under Section 25 B of the ID Act of this continuous service for a period of one year as defined under the said provision. Learned counsel submitted to attract the provisions of Section 2(o) and 25F of the ID Act, first of all it is not necessary that workman should have worked for a period of 240 days and more during 12 calendar months immediately preceding the date on which he was refused work and it is sufficient for the purpose of Section 25B if the first party has worked for a period of 240 days and more during 12 calendar months continuously preceding the date of retrenchment. In this context learned counsel relied upon the following six decisions :

1. 1981 (2) LLJ Page 70
2. 1983 (1) LLJ Page 30

3. 1970 (3) SCC Page 67

4. 1985 (4) SCC Page 201

5. 1980 (2) LLJ Page 72

6. 2002 (3) LLJ Page 885.

9. After having gone through the records, I find substance in the arguments advanced for the first party. In the instant case the only point to be considered would be as to whether the first party worked with the branches of the management bank continuously for a period of 240 days and more in a particular calendar year or during the period of 12 calendar months immediately preceding his alleged refusal of the work so as to attract the provisions of Sections 25B & 2(oo) read with Section 25F of the ID Act. As noted above, in this case the oral testimony of the first party and management witnesses, MWs 1&2 is not very much material as they simply reiterate their stand taken in their respective pleadings. The point in question raised above, can be very well decided by this tribunal on the undisputed documentary evidence produced by the first party at Ex. W1 to W12 as these are the documents issued by the various branch managers of the management itself. From the perusal of the documents at Ex. W1 it can be seen that it was a letter issued by the overseas branch to the first party informing him that his name has been sponsored through Employment Exchange and he can appear for the interview along with necessary documents. Ex. W2 is the cover under which Ex. W1 was sent to first party Ex. W3 is the Certificate issued by the overseas branch manager on 23-6-1982 to the effect that the first party has worked in this branch purely as a temporary Messenger for a period of 91 days from 21-3-1982 to 23-6-1982. Ex. W4 is the letter by the said branch to the first party dated 29-1-1985 calling upon him to appear before the Regional Office for the purpose of consideration of his name for absorption as permanent employee in the bank. Ex. W5 is the letter dated 26-06-1985 to certify that the first party was working in the overseas branch as Messenger on temporary basis between March 1982 and June 1982 for a period of 91 days. Ex. W6 is the appointment order dated nil issued in favour of the first party appointing him as a temporary messenger for a specific period of 90 days w.e.f. 25-3-1982 to 23-6-1982. Ex. W7 as noted above, is the letter/certificate issued to the first party on 9-2-1995 certifying to the effect that the first party worked for a period of 196 days from 19-7-1974 to 31-1-1995. Ex. W8 is the certificate to certify that the first party worked with the management branch from April 1995 to August 1995 i.e. 30 days in the month of April, 31 days in the month of May, 30 days in the month of June, 31 days in the month of July and 19 days in the month of August 1995. Ex. W9 is the certificate dated 9-5-1996 to suggest that the first party worked for a period of 11 days

between February 1996 and March 1996. Ex. W10 is to show that the first party worked for a period of 38 days during the month of November 1995 and December 1995. Ex. W11 is the certificate to show that he worked for a period of 9 days between 29-5-1996 and 6-6-1996 and Ex. W12 is the Xerox copy of an application made by the first party to the SBI, C.V. Ramnagar branch on 30-5-1995 to issue a certificate for he having worked with the said branch in the months of June and July 1996 for a period of 10 days.

10. Therefore, as could be seen from the aforesaid documents produced by the first party himself and not disputed on behalf of the management the facts admitted are that during the year 1982 the first party worked hardly for a period of 91 days and thereafter upto July 1994 he was never under the employment of any of the branches of the management. It is also again not in dispute that the first party did not work for a period of 240 days and more in 12 calendar months continuously immediately preceding the date on which he was denied work by the management. However, two important documents namely, the certificates which have been very much relied upon by the first party in order to substantiate that he worked for a period of 240 days and more continuously namely the certificates at Exs. W7 & 8. If these two certificates are read together it can be very well gathered that between July 1994 and June 1995 the first party undisputedly worked for a period of 287 days, of course, with break in service during the months of February and March. Therefore, as argued for the first party he has fulfilled the requirements of Section 25B of the ID Act for having completed one year continuous service during 12 calendar months. It was well argued for the first party that it is sufficient for the purpose of the abovesaid provisions that Workman should work continuously for a period of 240 days and more in any calendar year or during 12 calendar months and that this service need not be immediately prior to the date of alleged retrenchment or refusal of the work. A plain reading of provisions of Section 25B certainly lend support to the arguments advanced for the first party. Provisions of Section 25B do not mandate that continuous service of one year must necessarily be during the 12 calendar months immediately preceding the date on which services of the workman were terminated. The principles laid down by their lordship of Hon'ble High Court in the aforesaid decision reported in 1983 (1) LLJ page 30-Hutchiah Vs. KSRTC are very clear on the point. Their Lordship of our Hon'ble High Court after having made a reference to a decision of their Lordship Supreme Court reported in 1981 (2) LLJ page 70 Mohanlal Vs. Bharath Electronics Ltd., at Para 22 of the decision laid down the principle as under :—

"Another submission made by Shri Ramesh was that unless an employee had worked for 240 days in the year immediately preceding the date of discharge, he would not be entitled to the benefits of Section 25F

of the Act. This submission is also devoid of any merit. Before effecting retrenchment of a workman who has completed one or more years of continuous service in terms of S. 25F (1) of the Act, one month's notice is necessary and according to Section 25F (b) payment of compensation at the rate of 15 days wages for every completed year of service is mandatory. It may be, in a given case, if the workman had not worked for a period of 240 days immediately prior to the date of discharge, or during any other year, it is a matter relevant for consideration for the computation of the amount payable under S. 25 F(b) of the Act. He might not be entitled to 15 days salary for such year. That does not mean that if for some reason or the other, a workman had not worked for 240 days in the year preceding the date of termination, his past service by the force of which he would be entitled to the notice and payment prescribed in S. 25F (a) and (b) of the Act would be wiped out."

11. Similar is the stand taken in the aforesaid decision cited on behalf of the first party. His Lordship of Hon'ble High Court of Delhi in the aforesaid decision reported in 2002 (3)LLJ Page 885 have laid the proposition of law on this point very clear. Their observations on the point at Para 13 of the decision read as under :—

"If the aforesaid object is kept in mind Section 25B cannot be given a restrictive interpretation in so far as the definition of continuous service is concerned. In fact the expression used is 12 calendar months. Period of 12 calendar months preceding the date and the word "immediately" has not been used. There is force in contention of learned counsel for the petitioners that if only immediate previous calendar months are taken into consideration, it will result in an anomalous situation where an employer will be giving artificial breaks in service for the immediate preceding calendar year and deny the workman the benefits even though the workman has worked for more than 240 days in preceding calendar years though it may not be so in the immediate preceding calendar year. The object of Section 25B is only for the purpose of computation of continuous service and the substantive provision is Section 25F of the Act. The Division Bench of the Karnataka High Court in Hatcherai's case (supra) has negated the contention which is sought to be advanced by learned counsel for respondent No. 2. The view of learned single judge of the Rajasthan High Court in Chief Engineer, Irrigation's case (supra) is also to the same effect."

12. Therefore, in the face of the plain reading of the Section 25B of the ID Act and the principle laid down by their Lordship of Supreme Court as well as our Hon'ble High Court and High Court of Delhi, now, there cannot be

any doubt to be entrained that continuous service of one year as contemplated under the said provision of law is the continuous service of 240 days and more in any 12 calendar months and those days need not necessarily be immediately prior to the alleged retrenchment or refusal of work to the workman. In the instant case as noted above, from the very two certificates namely, Ex. W7&8 issued by the branch managers working under the management, it is very much established that during 12 calendar months i.e. from July 1994 to June 1995 the first party was in the continuous service of the management for a period of 287 days and therefore, he undisputedly fulfilled the requirement of Section 25B of the ID Act. It is not disputed and cannot be disputed that the termination of the service of the first party amounts to retrenchment as defined under Section 2(oo) of the ID Act, there being no compliance of Section 25F of the ID Act therefore, it is a clear case of retrenchment and illegal termination not to be sustained in the eye of law. In the result the action of the management in terminating the services of the first party is held to be illegal and void abinitio.

13. Now coming to the relief of reinstatement, back wages and other benefits, the first party by his own admission and the documents produced by him was working with the management on temporary basis as a temporary messenger cum water boy etc. As noted above, it is again not in dispute that his services could not be regularized though he was considered for the purpose of absorption in service twice by the management giving opportunity to appear in the interview and was not selected as found not suitable. As noted above, the first party was not in the service of the management subsequent to June 1982 till he was again engaged as a temporary Sweeper cum Water Boy w.e.f. 19-7-1994 vide certificate at Ex. W7. From September 1995 till he was terminated from service either in the month of March 1996 or June 1996 as could be made out from the certificates at Ex. W9 to W11 he was engaged by the bank hardly for a period of 58 days. Therefore, keeping in view the temporary nature of the service and the period of services he rendered with the management in my opinion, it is not advisable to burden the management with the reinstatement of the first party. He being a temporary worker, again the management can terminate his services complying the provisions of Section 25F of the ID Act. Once again keeping in view the fact that he was being provided with work by the bank subject to its availability having no right to get his services regularized, it is also not a fit case to grant him back wages, in full, from the date of his termination till the date of passing of this award. Therefore, under the facts and circumstances of the case it appears to me that ends of justice will be met, if the first party is paid a compensation in lump sum of Rs. 60,000 towards his full and final settlement against the management in lieu of his reinstatement, back wages and other consequential benefits. Hence the following award :

AWARD

The management is directed to pay a sum of Rs.60,000 in lump sum by way of compensation towards the full and final settlement of the claim of the first party against it, within a period of 3 months from the date of publication of this award, failing which the amount shall carry 10 per cent of interest per annum till its realization. No costs.

(Dictated to PA, transcribed by her, corrected and signed by me on 16th June, 2006.)

A. R. SIDDIQUI, Presiding Officer

नई दिल्ली, 3 जुलाई, 2006

का.आ. 2928.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व्हील एण्ड एक्सल प्लांट के प्रबंधन के संबंध में निम्नलिखित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचाट (संदर्भ संख्या 80/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-2006 को प्राप्त हुआ था।

[सं. एल-41012/45/99-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd July, 2006

S.O. 2928.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 80/99) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Wheel & Axle Plant and their workman, which was received by the Central Government on 3-7-2006.

[No. L-41012/45/99-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
BANGALORE**

Dated : 19th June, 2006

PRESENT

Shri A. R. SIDDIQUI,
PRESIDING OFFICER

C. R. No. 80/99

I PARTY

Shri Ramachandra Reddy,
S/o Narayana Reddy,
Bettachalasur (PO),
Jala Hobli,
Near Shani Mahatma Temple,
Bangalore-57

II PARTY

The General Manager,
Wheel & Axle Plant,
Yelahanka,
Bangalore-64

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute, vide Order No. L-41012/45/99-IR(B-1) dated 17th June, 1999 for adjudication on the following schedule:

SCHEDULE

“Whether the termination of Shri Ramachandra Reddy by the management of Wheel & Axle Plant is justified? If not, to what relief the workman is entitled to?”

2. The first party workman by his claim statement challenged the order terminating his services as illegal and incorrect, attacked and challenged the enquiry findings holding him guilty of the charges of misconduct of unauthorized absence as perverse and arbitrary and also challenged the enquiry proceedings held against him has conducted in violation of principles of natural justice.

3. The management by its Counter Statement on the other hand contended that the enquiry held against the first party was in accordance with the principles of natural justice, giving him fair and proper opportunity to defend himself and that findings of the enquiry officer holding him guilty of the charges is based on sufficient and legal evidence and that order terminating the services of the first party is legally, justified and the punishment of termination is quite proportionate to the gravity of the misconduct committed by the first party.

4. Keeping in view the respective contentions of the parties, this tribunal in the first instance took up the question of validity and fairness or otherwise of the enquiry proceedings as preliminary issue giving opportunity to both the parties to substantiate their respective contentions. On this point the management examined the enquiry officer as MW1 and got marked 8 documents at Ex.M1 to M8. The first party on his behalf filed his affidavit evidence without getting marked any document.

5. After having heard the learned counsels for the respective parties this tribunal by order dated 18-10-2004 recorded a finding on the above said issue holding that the enquiry held against the first party by the second party is not fair and proper and the matter came to be posted for hearing the parties on merits. Thereupon, an application under Section 11 of the ID Act was filed by the management seeking permission of this tribunal to lead fresh evidence for the proof of charges of misconduct committed by the first party. It was opposed by the first party on the ground that the management has not reserved its right by taking a contention in the counter statement that in case Domestic Enquiry held to be not fair and

proper it may be given opportunity to lead fresh evidence on merits of the case.

6. After having heard the learned counsels for the respective parties this tribunal by order dated 25th July, 2005 rejected the above said application filed by the management. On 5-9-2005 after having heard the learned counsels for the respective parties an award dated 13th September, 2005 came to be passed by this tribunal directing the management to reinstate the first party in service with 50% of the back wages from the date of termination till the date of reinstatement with continuity of service and all other consequential benefits.

7. The management challenged this award as well as the orders passed by this tribunal on the validity of the enquiry proceedings and the orders passed by this tribunal rejecting its application seeking permission of the court to lead fresh evidence on merits of the case. His Lordship of Hon'ble High Court without disturbing the order dated 18-10-2004 passed by this tribunal on the validity of the enquiry proceedings however, quashed the orders of this tribunal dated 25-7-2005 rejecting the application of the management to lead fresh evidence and also the award remanding the matter back to this tribunal for fresh disposal permitting the management to lead evidence in support of the charges of the misconduct.

8. After the remand the management on merits of the case filed affidavit evidence of MW2 and in his further examination chief got marked two documents at Ex.M10 & 11. On his behalf the first party workman also filed his affidavit evidence and got marked two documents at Ex.W1 & W2. Ex.M10 is said to be the service register of the first party and Ex.M11 is the attendance particulars of the first party. Ex.W1 is said to be the leave application dated 22-6-1997 and Ex.W2 is the medical certificate in favour of the first party. The first party has also filed an affidavit said to have been sworn by Dr. G. Thippe Swamy to the effect that the first party was under his treatment from 20-6-1997 to 18-8-1997 for acute Appendicitis with Hyper Pyrexia.

9. Both the parties have submitted their written arguments so also advanced their oral arguments. The arguments of the learned counsel for the first party are that he remained absent from duty from 20-6-1997 to 18-8-1997 on account of his illness and when he reported for duty on 19-8-1997 after the recovery of his illness he was served with the charge sheet for committing the misconduct of unauthorized absence. he submitted that the first party proceeded on leave from 20-6-1997 onwards by submitting his leave application dated 22-6-1997 as per Ex.W1 and reported for duty with the medical certificate at Ex.W2 and therefore, his absence was not unauthorized absence but was on account of illness and in the result there was no

misconduct of unauthorized absence committed by the first party. He further argued that earlier to 20-6-1997, he had applied for CL on different dated in June, 1997.

10. Whereas, learned counsel for the management argued that the absence of the first party from duty on the dates and period mentioned in the charge sheet has been deliberate and intentional and not on account of illness. He submitted that there was neither a proper leave application seeking leave nor the leave was sanctioned to the first party before he remained absent from duty. He submitted that leave vide application dated 22-6-1997 infact was submitted to the management by one Dollappa said to be the friend of the first party on 10-7-1997 and that application was again for a period from 20-6-1997 to 30-6-1997 and undisputedly the first party never got extended his leave much less getting ascertained from the management that his leave application dated 22-6-1997 infact was sanctioned. He submitted that the story of illness propounded by the first party is false and baseless as undisputedly he did not seek medical treatment from the nearest railway medical authority as provided under the medical attendance rules for railway employees and he managed to get the medical certificates from one Doctor at Hindupur just to over come the charge of misconduct levelled against him for his unauthorized absence. Learned counsel invited attention of this tribunal to the statement of WW1 in his cross examination in this regard.

11. The case of the management on merits is that the first party who is a habitual absentee remaining absent from duty on as may as six occasions during the period from 1995 to 1998 once again remained absent unauthorisedly from 1-6-1997 to 3-6-1997, 6-6-1997 (A/N), 13-6-97 (F/N), 14-6-1997, 16-6-1997 and from 20-6-1997 till the date 25-7-1997 when he was served with the charge sheet for the aforesaid absent period. His case that he suffered from certain disease and took treatment at Hindupur is not believable in the light of the very medical certificate produced by him and his statement in cross examination. Moreover, the leave application dated 22-6-1997 which was received by the management on 10-7-1997 through his friend Dollappa was for period from 20-6-1997 to 30-6-1997 and there was no communication from him to the management even subsequent to 30-6-1997 much less seeking extension of leave. Therefore, a charge sheet was issued to him, enquiry was conducted and on the basis of the enquiry findings holding him guilty of the charges he was rightly and legally removed from service.

12. Whereas, it is the case of the first party that from 1-6-1997 to 3-6-1997, 6-6-1997, 13-6-1997, 14-6-1997 and on 16-6-1997 he applied for casual leave and availed the same under the intimation to the higher officials; that

on 19-6-1997 he applied for ½ day casual leave for 20-6-1997 and since he was not feeling well went to uncle's house at Hindupur and took treatment from a Doctor by name Dr. G. Tippe Swamy for the period from 20-6-1997 to 18-8-1997. Hereported for duty with medical certificate but was served with the charge sheet resulting into his termination order in pursuance to the DE held against him and the findings of the enquiry officer holding him guilty of the charges.

13. After having gone through the records, the oral testimony of MW1 & 2 and WW1, the documents at Ex. M10 & 11 relied upon by the management and the documents at Ex. W1 & 2 relied upon by the first party, I find substance in the arguments of the management that the charges of misconduct levelled against the first party for his unauthorized absence are proved. The fact that the first party remained absent from duty on the aforesaid dates and the period, is not to be disputed and cannot be disputed. Now, therefore, a heavy burden cast upon the first party to substantiate before this tribunal that his absence from duty on the above said dates and period was against the leave applications submitted by him and on account of his ill health. As far as his absence from duty on different dates in the month of June earlier to 20th June 1997 first party wanted to say that he had applied for casual leave and it is under the permission of the higher officials he had availed the said leave. First of all there is no proof absolutely made available that he had applied for casual leave on the aforesaid dates. Moreover, it is not the case of the first party himself that he remained absent for those dates after his leave sought for was sanctioned. The particulars of his attendance register before this tribunal at Ex. M11 would speak to the fact that he was marked absent on the aforesaid dates. Therefore, it cannot be said that the first party remained absent on those days after having applied for casual leave much less leave being sanctioned by the authority concerned. Now for his absence from duty from 20-6-1997 to 25-7-1997 as per the charge sheet it is the case of the first party that he had suffered from acute Appendicitis with Hyper Pyrexia and took treatment for this disease from the said Dr. Thippe Swamy as per the medical certificate at Ex. W2. As argued for the management if we peruse his statement in cross-examination together with the medical certificates it can be very well gathered that the story of the illness made out by the first party is just to hoodwink the authorities concerned and to overcome the charge sheet of misconduct levelled against him. First of all the leave application dated 22-6-1997 said to have been given by the first party, undisputedly, was received by the management on 10-7-1997 through his friend, Dollappa. As per the said application he had sought for leave from 20-6-1997 to 3-6-1997 and when this application

is to be received by the management on 10-7-1997, by no stretch of imagination it can be said that it was the leave application submitted by the first party according to the rules i.e. under Railway Servants (D&A) Rules, 1968. As per those rules an employee of the management is supposed to make the leave application well before time and must proceed on leave after the leave has been sanctioned. In the instant case, as noted above, the leave application was not made to the management well in advance as it was received by it on 10-7-1997 and the leave applied for was for the period from 20-6-1997 to 30-6-1997. Moreover, undisputedly, it has come in the statement of the first party in his cross-examination that subsequent to 30-6-1997 he gave no application nor sought for extension of leave nor has informed the authority of his suffering from ill health during the said period. Therefore, there was no proper application by the first party first of all seeking leave from 20-6-1997 to 30-6-1997 and from 1-7-1997 onwards there was again no application from the first party much less information to the authority seeking extension of leave much less on the ground of illness.

14. Now coming to the case of the first party that he was suffering from the above said disease from 20-6-1997 up till 18-8-1997 and took treatment for the said disease from the said registered medical officer by name Dr. Thippe Swamy vide medical certificate at Ex. W2 there is again very much force in the arguments of the management that this is the story created by the first party to get rid of the charges of misconduct. In this context management relied upon the very statement of the first party in his cross-examination. In his first part of the cross examination first party stated that he has been residing at Bangalore since from the date of joining of the service along with his family consisting of his wife and children and they were at Bangalore on 20-6-1997. He says that he submitted his application on 22-6-1997 and on the evening of that day itself he had gone to the Doctor to take treatment. In his second paragraph he stated that he has given the application to his friend on 28-6-1997. Therefore, as per his earlier statement he gave the application on 22-6-1997 and it is in the evening of that day itself he had gone to the Doctor for taking treatment. If that were to be the case he must have been under the treatment of the Doctor from 22-6-1997 itself and whereas, the certificate produced by him at Ex. W2 says that he was under the treatment of the Doctor from 20-6-1997 itself. Therefore, if we believe his statement before this court we must discard the contents of medical certificates as incorrect and vice versa. Then as noted above, in his second part of the statement he comes with the different story saying that he had given the above said application to his friend on 28-6-1997 and if he were to go to the Doctor on the evening of the said date itself then he must have been

under the treatment of the Doctor from 28-6-1997 onwards and not from 20-6-1997 onwards. Moreover, as contended by the management if really the first party suffered from any illness then under the aforesaid rules if he remains ill continuously for 3 days, the first party is supposed to approach the railway hospital for treatment. In the instant case as contended for the management railway hospital at Hindupur happened to be within the vicinity of the clinic of Dr. Thippe Swamy was located. As to why the first party did not approach the railway hospital, his explanation is that he did not know the rules. One cannot accept this explanation for a simple reason that he was in the service of the management for about a period of 20 years as on the date he was served with the charge sheet. Therefore, it just cannot be believed that having been in the service of the management for such a long period he was not aware of the aforesaid rules providing medical facilities to the employees of the management under the said rules. The certificate at Ex. W2 also cannot be attached much credence for the reason that it came to be issued on 12-8-1997 and whereas, it is the certificate given for the treatment taken by the first party from 20-6-1997 to 18-8-1997. What made the doctor concerned to given the certificate on 12-8-1997 itself i.e. long before the first party ceased to have stopped taking treatment from him. Learned counsel for the first party took the help of affidavit of the abovesaid Doctor filed before this tribunal in order to substantiate that the said certificate was a genuine document. First of all the affidavit produced by the said doctor cannot be taken to be the gospel truth particularly when he is not subjected to cross examination and secondly in the light of the very statement of WW1 in his cross examination and in view of the fact that it came to be issued on 12-8-1997 well before treatment being taken by the first party was over. Even for a moment we take it granted that the first party was under the treatment of said Doctor all the period mentioned in the certificate and go by its face value, then, the most important fact not to be lost sight of this tribunal would be that during the aforesaid period first party was being treated as an outpatient and that means to say that from the disease he suffered was not a serious disease and that he was in a position to move about. It just cannot be believed that he did not visit his family residing at Bangalore during the aforesaid period and was prevented by any sufficient cause not to approach the management at least to find out whether the leave applied by him was sanctioned or not. Therefore, in the light of the above, there cannot be any hesitation for this tribunal to come to the conclusion that the first party has remained unauthorisedly absent from duty for the period mentioned in the charge sheet and charges of misconduct have been proved against the first party by sufficient and legal evidence.

15. Now, coming to the question of punishment learned counsel for the management submitted that the first party deserved the punishment of termination as was imposed upon him by the disciplinary authority taking into consideration the period of unauthorized absence as per the charge sheet and also considering his past service record of remaining absent from duty on as many as six occasions.

16. Whereas, learned counsel for the first party submitted that first of all the past service record of the first party cannot be taken into account as few entries made in his service record on pages 11 & 12 as per Ex. M 10 are not supported by any other evidence much less any memo or charge sheet being issued to the first party or any enquiry being held against him or any punishment order passed against him imposing the punishment as shown in the said register and secondly for the reason that keeping in view the period of absence shown in the said register, it can never be said that it was a case of habitual offender. I find substance in his arguments. As per the aforesaid entries there are five entries showing that the first party remained unauthorisedly absent from duty. The first entry is for a period from 1-3-1993 to 3-4-1993 and 6-4-1993 to 8-4-1993. As per the Second entry he was absent from duty from 2-8-1995 to 12-8-1995 and the third entry shows that he was absent from 22-3-1995 to 9-5-1996 and the last he was absent for a period 12 days in the year 1997. It was well argued for the first party that none of these entries would throw light upon the fact as to whether such punishment have been imposed upon the first party to his information and knowledge. There is no mention of memo or charge sheet or any enquiry has been conducted against him or any noting is made that these punishments have been notified to the first party being the entries adverse to his interest. Secondly on going through the aforesaid entries it cannot be said that the first party has been a habitual offender. The period of his absence noted above cannot be said to be a long period during the tenure of 20 years of service of the first party right from the year 1979 to 1997.

17. Now coming to the period of absence as per the charge sheet he was absent from duty for about a period of 8 days earlier to 20-6-1997 and for about a period of 35 days from 20-6-1997 to 25-7-1997. Therefore, a question arises whether for such a short period of absence the first party deserved an extreme punishment of termination from service. His Lordship of Hon'ble High Court in a decision reported in ILR 1989 Kar. 3191 while dealing with the case like one on hand, having disapproved the punishment of dismissal held that ends of justice will be met if the workman is subjected to

punishment of loss of back wages and withholding of two annual increments with cumulative effect apart from the order of reinstatement in service. In a decision reported in 1993 ILLJ page 4571 his Lordship of Calcutta High Court took the view that termination of service for absence for 19 days on different dates amounts to major punishment and therefore, is not proper. Therefore, keeping in view the facts and circumstances of the case, the period of absence as per the charge sheet and so also taking into consideration of the fact that the first party has been in the service of the management for a period about 20 years as on the date he was removed from service and in view of the fact that he has already been reinstated in service under the orders of the Hon'ble High Court it appears to me that ends of justice will be met if he is punished by withholding his annual increments for a period of 4 years with cumulative effect from the date of publication of this award. He shall not be entitled to any backwages for the period elapsed from the date original punishment order till the date he was reinstated in service. However, he will be entitled to continuity of service for the aforesaid period except for the period mentioned in the charge sheet. Hence the following award :

AWARD

The first party is punished by withholding of his four annual increments with cumulative effect from the date of passing of this award. He shall not be entitled to any back wages from the date of his original order of termination till the date he was reinstated in service with continuity of service during the said period minus the period mentioned in the charge sheet. No costs.

(Dictated to P.A. transcribed by her corrected and signed by me on 19th June, 2006).

A.R. SIDDIQUI, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2929.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, गुवाहाटी के पंचाट (संदर्भ संख्या 24/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-2006 को प्राप्त हुआ था।

[सं. एल-22012/211/2003-आईआर (सी-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2929.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 24/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati as shown in the Annexure, in the Industrial Dispute between the management of Food Corporation of India, and their workmen, received by the Central Government on 3-7-2006.

[No. L-22012/211/2003-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI ASSAM

PRESENT:

SRI H.A. HAZARIKA,
Presiding Officer,

CGIT-cum-Labour Court, Guwahati.

In the matter of an Industrial Dispute between :

The Management of F.C.I., North Lakhimpur.

Vrs.

Their Workman, Sri Rohit Goswami.

Advocates :

Mr. P.K. Roy, : Advocates for the
Mr. S.K. Chakrabarty Management

Mr. B. Sarma, : Advocate for the Workman

Ref. No. 24 of 2004

Date of Award 27-6-06

AWARD

1. The Government of India, Ministry of Labour, New Delhi vide its Notification No. L-22012/211/2003-IR (C-II) dated 24-03-2004 referred this Industrial Dispute arose between the management of F.C.I., North Lakhimpur and their Workman Sri Rohit Goswami in exercise of power conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947) for adjudication on the basis of the following Schedule :—

SCHEDULE

“Whether the action of the management of FCI, North Lakhimpur in terminating the services of Sri Rohit Goswami w.e.f. July, 2002 instead of regularizing service is legal and justified? If not, to what relief he is entitled to?”

2. Initially the reference was received by the State Industrial Tribunal, Guwahati and on being set up of CGIT-

cum-Labour Court, Guwahati the same is transferred and received on 13-12-2004 and issued notice to both the parties. On being notified they appeared before this Tribunal and hearing started for adjudication to pass the award.

3. The case of the Workman Sri Rohit Goswami in brief is that he was engaged along with some others as casual workers at F.S.D., F.C.I. Narayanpur, Lakhimpur in the year 1990 and they are working till date on the same capacity. That for rendering service they were paid at different rates applicable to them. That the workman was worked as casual worker under the Management continuously for thirteen years with the hope that he will be regularized. But all on a sudden the Management intended to terminate him and to engage other in his place without any ground. The workman approached the Regional Labour Commissioner, Central and a conciliation proceeding was held. The R.L.C. (C) sent the letter to the Management but the Management did not comply and sat in the conciliation proceeding. As a result of that conciliation proceeding is failed. The workman approached the Management to regularize his service as per rule as he worked 240 days per year. But the Management paid no heed to his approach. That the applicant further beg to state that the Management had engaged others by removing them for works for which they engaged and prayed to set aside the order of termination and to pass such order which may be deem fit and proper and also order for regularization of service by allowing to continue.

4. The case of the Management in brief that the Reference is not maintainable in law. That Sri Rohit Goswami was never engaged by any authority of the Management as such he was never a workman under the Management. That the Management FCI, North Lakhimpur can never be termed as his employer within the meaning of Section 2 (G) of ID Act, 1947. That no industrial dispute arose between the Applicant Sri Rohit Goswami and the Management. That the Management FCI, further craves leave of the Hon'ble Tribunal to agitate the aforesaid preliminary objections at the first instance as preliminary issue before entering into the merits of the case. That in the instant Ref. Case No. 13(C) of 2004 W.S. filed by Sri Gobin Baruah, Sri Rohit Goswami, Sri Jogen Saikia and Shri Santanu Hazarika are incompetent, illegal and without authority of law, the same is not entertainable and is liable to be rejected. That the order of Reference being in respect of Sri Rohit Goswami only, the others have no right to file Written Statement. Sri Rohit Goswami can not join with some persons not referred and file a Joint Written Statement. As per Circulars No. EP1(4)/85 dated 2-5-86 and No. 1(4)/85-Vol. II dated 6-5-87 the Management under the standing instruction of the authority of F.C.I. can not engage persons

exceeding seven days. That in the instant case the alleged Workman, Sri Rohit Goswami was not paid by the authority of the Management, F.C.I. The management prayed to reject the prayer of alleged workman.

5. the Management examined Sri tulshi Nath Bora as their solitary witness. The Workman Sri Rohit Goswami examined himself and also examined Sri Gobin Baruah. They were cross-examined by their opponent Advocate.

6. Perused the evidence in the record. Also perused the exhibited documents submitted by Workman as well as submitted by the Management.

7. Heard the argument submitted by the learned Advocates Mr. B. Sarma for the Workman and Mr. P.K. Roy and Mr. S.K. Chakrabarty for the Management. Also perused the Written Argument and the zerox copies of the Case Laws submitted by the learned Advocate Mr. P.K. Roy for the Management.

8. On careful scrutiny of the record I find the relevant Ref. is made by the Government in relation to alleged workman Sri Rohit Goswami. But the Written Statement is filed and signed by four persons including Rohit Goswami, Sri Gobin Baruah, Sri Jogen Saikia and Shri Santanu Hazarika. Out of them besides Rohit Goswami Sri Gobin Baruah appeared as Workman witness. In his evidence W.W. 2 Gobind Baruah in his first categorical sentence has said that he appeared as witness for Rohit Goswami. In his second sentence he deposed that he is a casual labourer of F.C.I., Godown situated at Jorabari, Narayanpur. On perusal of the workman Written Statement I find they claimed that they are illegally terminated. Thus this is a serious contradiction. In cross-examination he said that no appointment letter was issued to him. No forwarding was made by the Employment Exchange. The letter was issued by the FCI calling them to engage them to work. But that letter is not available to him. He has not submitted any documents as proof to show that he worked for 240 days in a year. The Management witness Sri Tulshi Nath Bora deposed that in the year 1985-86 some casual labourers were working and some of them were regularized after 1986. The process of engaging of casual labourers were stopped and banned by their authority. Ext. 1 and 2 are relevant Circulars. There are Rules of Recruitment of staff in F.C.I. in respect of all Grades. Violating the Rules no appointment can be made. The alleged workman Rohit Goswami was never appointed by their F.C.I., as casual labourers. In cross-examination he deposed that appointment of casual labourers are stopped since 1985-86 Circulars. The relevant Circulars of stopping of appointment was implemented as soon as they received. For one or two days if labourers required then they are engaged on daily wages basis from the contingent fund.

9. On careful scrutiny of the evidence I find the evidence deposed by the alleged workman Sri Rohit Goswami could not make a prima facie case that he is a regular casual labourer under the Management. So also his supporting witness Gobin Baruah made a serious contradiction which I stated herein before and his evidence are very much evasive and not trust worthy. It will be better to mention here that Ext.A, certificate given by Depot In-Charge, F.C.I, Narayanpur. Which shows that Rohit Goswami worked since 1990 and Ext.B shows that Rohit Goswami worked from May, 2000 to August, 2000. Again Ext.C does not reflect the period of work. The alleged officers who issued the certificate are not called to prove that these are genuine certificates issued by them on official capacities. Ext.D is a payment voucher wherein Rohit Goswami was paid for the month of March/01 but there is no other payment vouchers either produced or called. I also perused the Ext. 1 and Ext. 2, Circulars relating to engagement of casual workers and recruitment of casual daily rated employees regularization thereof by the FCI,

10. During the course of Argument learned Advocate Mr. B. Sarma for the alleged workman agitated much on the point of regular working of 240 days per year by the workman for continuous long period. He also very much stressed u/s 25 of the I.D. Act for non-compliance of Notice. But on my scrutiny of the evidence. I find there is no proper and authentic evidence that workman Rohit Goswami worked 240 days in any year and I find the Management has not violated anything in respect of Section 25 of the I.D. Act.

11. It is pertinent to note here that the Management raised the point in their W.S. that this relevant reference is sent without basis and this Tribunal has got no jurisdiction to adjudicate it. But on careful scrutiny I find the Reference is obviously sent rightly as per procedure Clause-(d) of Sub-Section (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1970 and this Tribunal has got jurisdiction to adjudicate it.

12. During the course of argument the learned advocate for the management Mr. P.K. Roy agitated with some case laws. Zerox copies of which are annexed with the written argument which are tagged with the record. On perusal of the Case Laws find the most befitting case law with the instant case is : Secretary, State of Karnataka and others..... Apellant' Vrs.Umadevi and othersRespondents (2006) 4 SCC 1. On perusal of this Case Laws I find there must be proper procedure of recruitment and appointment. The procedure must be followed as prescribed in the recruitment rules. In the instant matter

the alleged workman could not show that the management exercises the rules and procedure of the recruitment against some sanctioned vacancies. In the relevant judgment mentioned above it reflected by the Hon'ble Apex Court in para-43 as follows :

"Thus, it is clear the adherence to the rule of equality in public employment is a basic feature of our Constitution and since the rule of law is the core of our Constitution, a court would certainly be disabled from passing an order upholding a violation of Article-14 or in ordering the overlooking of the need to comply with the requirements of Article 14 read with Article 16 of the Constitution. Therefore, consistent with the scheme for public employment this Court while laying down the law, has necessarily to hold that unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. If it is a contractual appointment, the appointment comes to an end at the end of the contract, if it were an engagement or appointment on daily wages or casual basis, the same would come to an end when it is discontinued. Similarly, a temporary employee could not claim to be made permanent on the expiry of his term of appointment. It has also to be clarified that merely because a temporary employee or a casual wage worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the court to prevent regular recruitment at the instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment, do not acquire any right....."

13 Under the above facts and circumstances I find the alleged workman Sri Rohit Goswami was not appointed or recruited as per procedure by the management as such he was not a workman under the management F.C.I. Hence, he is not entitled for any relief and benefits.

14. Accordingly the relevant schedule is answered against the workman Rohit Goswami. The Award is passed against the workman. Send the Award to the Government concerned as per procedure immediately.

SRI H.A. HAZARIKA, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2930.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन मिलिट्री एकाडेमी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 144/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-14012/12/2002 आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2930.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.144/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Military Academy and their workman, which was received by the Central Government on 04-7-2006.

[No. L-14012/12/2002 IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present: SHRIMANT SHUKLA,
Presiding Officer.

I. D CASE NO. 144/2002

Ref. No. L-14012/12/2002-IR(DU) Dt. 1-8-2002

BETWEEN

1. Sri Guna Nand Nautiyal
S/o Sri Bharna Nand Nautiyal
Village Barrowalla, P.O. Barrowalla,
Dehradun

AND

The Commandant
Indian Military Academy
P.O. Rangar Walla
Dehradun

AWARD

The Government of India in the Ministry of Labour, New Delhi referred the following dispute No. L-14012/12/2002-IR (DU) dt. 1-8-2002 for adjudication to the Presiding Officer, CGIT-cum-Labour Court, Lucknow: —

“Whether the action of India Military Academy Management in terminating the services of Sh. Guna Nand Nautiyal S/o Sri Bharna Nand Nautiyal

w.e.f. 1-9-2001 is just fair and legal? If not for, what relief he is entitiled to?”

Worker's case in brief is that he was engaged in the Indian Military Academy on the post of Cook w.e.f. 10-1-99 and was paid monthly wages.

It is further alleged that he was discharged on 1-9-99 without any notice. However in para 9 of the statement of claim the worker has shown his engagement as under :

Year of work	Post held	Period of work
1999	Cook	18-1-99 to 12-6-99
1999 to 1-9-2001	Cook	22-7-99 to 1-9-2001

It is alleged that the worker was under the employment of the Indian Military Academy on the post of Cook for 771 days continuously and uninterruptedly. It is further alleged that he was given artificial breaks in the service from 13-6-99 to 21-7-99 for a period of about 40 days, which was nothing but a unfair labour practices. Such interruptions were not caused on account of the fault of the workman. If the number of days of work of the workman during the period of the last 12 calendar months are taken into account w.e.f. 1st Sept. 2000 to 31st August, 2001, it is crystal clear that the workman has not artifical break in the service of the opposite party and he has worked for all 365 days continuously and uninterruptedly which also indicates that the workman has worked for more than 240 days of work and therefore he is protected workman and cannot be discharged without notice, notice pay and compensation. It is also alleged that the employer has engaged fresh hands in Indian Military Academy without providing any work to the workman. In the circumstances the termination of the worker would constitute retrenchment but the pre conditions for valid retrenchment has not been followed therefor, the termination of service of the workman is illegal and unjustified.. The worker has therefore prayed for following reliefs :

1. Reinstate the applicant on the post of the Cook with effect from the date of discharge on 1-9-2001.
2. Order for the full back wages from the date of discharge dated 1-9-2001.
3. Order for the continuity of the services of the workman with effect from the date of discharge till the joining of the application after the adjudication of the dispute.
4. Order the regularisation of the applicant and to provide the pay scale of the permanent post which is being provided to the new recruits without the consideration of the applicant on priority by virtue of experience.

5. Pass orders for the cost of the suit from the beginning of the notice to the time of adjudication of the case.
6. Pass such orders of the costs as the Hon'ble Presiding Officer of the Tribunal deem fit and proper.

The opposite party has filed written statement. It is submitted by the opposite party that it is neither industrial establishment nor the worker is industrial worker. It is further submitted that casual labours are employed for casual nature of work at intermitment period and not exceeding 24 days in a month for 8 hours daily excluding summer and winter vacations. Worker's services were discontinued and the same were no longer required. The opposite party has also alleged that the worker was not employed continuously as alleged by him. It is further submitted that the Indian Military Academy is auth 60 days summer/winter vacation as per Govt. Rules/order. During vacation period services of casual labours were not required. Hence the break given to the applicant was genuine and not artificial. Worker was employed on immediate required basis for 24 days to a month depending upon increase/decrease strength of gentleman cadets. His services were discontinued during vacation period as the same were not required. It is submitted that the direct recruitment in Academy is carried out as and when vacancies are related by the Army Headquarters/Govt. For this purpose Employment Exchange and Soldier Board are requested to sponsor names as also vacancies are advertised in the News Paper as per Govt. instructions. All the such candidates sponsored by Employment Exchange/Soldier board and Candidates who apply directly from the open market on the basis of advertisement are considered for employment by a properly constituted Board of officers. The casual labourers are also permitted to compete alongwith other candidates in case they apply against regular vacancies for which employment process is in progress. The applicant was also considered for appointment against regular vacancy but could not made the merit in the selected panel. The worker was not employed through Employment Exchange. He was engaged for casual nature of work and was discontinued whenever his services no longer required. Hence, there is no violation of the constitution. It is therefore submitted that worker is not entitled to any relief as prayed by him. Moreover the Industrial Disputes Act., 1947 is not applicable to the petitioner and the grounds adduced by the petitioner for seeking relief is not tenable rather the statement of claim is liable to be dismissed.

The worker has filed photo copies of two certificate paper No. AI-16 and AI-16/2.

On the date of hearing on 18-11-2003 the worker did not appear in the case and his representative Sri H.C.

Bhatia moved an application for adjournment stating there in that due to unknown reasons the worker has not come and the affidavit could not be got signed and submitted. Disposing the application of adjournment the court ordered let the affidavit be sent to CGIT-cum-Labour Court, Lucknow by registered post with a copy to opposite party within a period of 15 days and accordingly 31-12-2003 for cross-examination of the witness at camp court Dehradun.

It is pertinent to mention have that the worker filed the one page affidavit in support of his statement of claim alongwith the statement of claim. Thereafter, after the filing of the written statement the worker filed the rejoinder dt. 25-12-2002. It is categorically stated that corps of Army Unit falls within the ambit of industry.

The opposite party has submitted supplementary written statement wherein it is submitted that Indian Military Academy is an Academy imparting education on Military service & Military training to Gentlemen cadets therefore this Academy does not come under the purview of Industrial Disputes Act., 1947 as amended by Amendment Act. 1982 (46 of 1982).

The opposite party has filed photo copies of the following documents :

1. The Gazette of India, Feb. 9, 2002/March 20, 1923 Part II, Section 4.

Notification New Delhi, the 17 Jan. 2002 SRO 37 regarding rules regulating method of recruitment to the post of Crop 'D' (Non Industrial) in the lower formation of army.

2. Govt. of India, Ministry of Defence circular No. MF 4 (3)/89/D Ann II) of 31st Jan. 1991.
3. Swamy's Establishment & Administration Chapter 22 regarding casual labour.
4. Gazatte Notification regarding Group 'D' employees of Army training institutes.
5. Strength Return : Gentleman cadets dt. 25-11-99.
6. Strength Return Gentleman cadets IMA, Dehradun as on April 1, 2000.
7. Strength Return : Gentleman cadets Ima 2001.
8. Orders of the High Court passed in following cases :

A. Hon'ble High Court of Judicature at Allahabad in WP No. 39737/1987 Satish Kumar vs. State of U.P. including IMA.

B. Hon'ble High Court of Judicature at Allahabad writ petition No. 42116/1997 Kailash Chandra vs State of U.P. including IMA order dt. 16-12-97.

C. Hon'ble High Court of Judicature at Allahabad writ petition No. 11867/1998 Kailash Chandra & another vs Union of India including IMA.

D. Hon'ble High Court of Judicature at Nainital writ petition No. 777/2001 (SB) Arun Kumar Sharma & another vs The Indian Military Academy and others.

9. General forecast of Events Autumn Term 2003.

Worker inspite of orders did not produce evidence, nor himself produced cross examination on his affidavit. Heard worker & representative of the opposite party on 22-6-06.

From the documents on record it is clearly made out that the Indian Military Academy imparts training to Gentleman cadets. It is pertinent to mention here that the opposite party has filed the Award of this Tribunal pass in I.D. 142/2002, Gajendra Singh vs Commandant Indian Military Academy, ID 145/2002 Govind Singh vs Commandant, Indian Military Academy ID 16/2003 Kali Ram vs Commandant, Indian Military Academy ID 17/2003 Jai Ram vs Commandant Indian Military Academy, ID 18/2003 Sachin Kumar vs Commandant, Indian Military Academy ID 77/2003 Vijay Kumar Vs Commandant, Indian Military Academy on 15-3-2005/22-3-2005.

It is also pertinent to mention here that the opposite party has filed the affidavit of Ramesh Chandra.

The training imparted in the specialised field of military science & military field. It is sole institution for providing training to the army officers.

It is ample clear that the number of Gentleman cadets requiring training in this institute is declining for TCG course starting from 12 Jan. 2001 to 8th Dec. 2001 only 32 cadets reported for SCO-7 course only 46 cadets reported for 10 + 2 TES—04 course 76 cadets reported WES course—no cadet reported for 09 A.

The opposite party has not admitted that the worker was continuously employed. It is stated in para 9 of the written statement, "The applicant was not employed continued & uninterupted during the year 1999 & 2001 from 15-1-99 to 12-6-99 and from 22-7-99 to 1-9-2001. He was employed for only 24 days in a month for eight hours daily excluding summer/winter vacations". Worker did not appear for cross examination. In the circumstances I come to the conclusion that the worker has failed to prove that the continuously worked as alleged by him.

It is crystal clear that the Indian Military Academy, Dehradun is discharging sovereign function to training the officer of the Military. It can not be termed as industry. Its employees are to be recruited as per the

notification in the official Gazette & rules prepared under article 309 of the Constitution having the authority of the President. In the circumstances the worker's case does not fall in the ambit of the industrial dispute Act. The CGIT-cum-labour Court has thereforre, no jurisdiction to adjudicate. Issue is answered accordingly. Worker is not entitled to any relief.

LUCKNOW

30-6-2006

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का. आ. 2931—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार 508 आर्मी बेस वर्कशॉप के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 63/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-06 को प्राप्त हुआ था।

[सं. एल-14011/6/2000-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2931—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 63/2003 of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of 508 Army Base Workshop and their workmen, received by the Central Government on 4-7-2006

[No. L-14011/6/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SRI SURESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR KANPUR, U.P.

INDUSTRIAL DISPUTE NO. 63 OF 2003

In the matter of dispute between :
The Genereal Secretary,
Defence E.M.E. Employees Union
Allahabad 586/74-A/25/B Dalelkapura
Allahpur Allahabad.

AND

The Commandant & M & D
508 Army Base Workshop
Allahabad Fort
Allahabad.

AWARD

1. The Central Government, Ministry of Labour, New Delhi, vide notification No. L-14011/6/2000-IR (DU) dated 30-5-2000 has referred the following dispute for adjudication to this tribunal:—

“Whether the action of the management of 508 Army Base Workshop, Allahabad, in awarding punishment to Sh. D.P. Pandey vide their order no. 21206/6655-DPP/Est/Ind dt. 20-3-99 is justified? If not to what relief the workman is entitled?”

2. It is common ground that the concerned workman Sri D.P. Pandey, was issued a Memorandum/Chargesheet no. 21206/6655-DPP/Est. Ind. dated 23rd February, 1999, along with statement of imputation of misconduct by the disciplinary authority under Rule 16 of the CCS& (CC&A) Rules, 1965, for minor penalty on the report of JCO against the delinquent employee on the ground that on 9-2-99 during mustering out at Gate No. 2T 6655 labourer Sri DP Pandey of MCO HQ 508 Army Base Workshop Allahabad found carrying approx 05 Talksheet in his bag, which was detected by ASO. In the mean time when ASO asked his T.No. and name then he replied he had already talked with WM in the matter and refused to intimate his T.No. and name and used insolent language with ASO. The workman replied that chargesheet vide his letter dated 5 March 1999. The disciplinary authority vide memo dated 16 March 99 disagreed to with the reply submitted by the delinquent employee. Delinquent employee again vide its letter dated 19 March 1999, requested that decision of the disciplinary authority under para of the memo dated 16th March 99 is not based on legal footing and that the legal provisions may kindly be adhered while deciding the case in the interest of justice. Ultimately, the disciplinary authority passed its final order in the disciplinary case against the delinquent employee imposing punishment of withholding of one increment for one year without cumulative effect on the ground that the disciplinary authority has personally inquired from the ASO and considering into all aspects of the case and feels no necessity of inquiry and find that the charge sheeted employee is guilty of the charges framed against him and opines that the penalty of withholding of increment of pay for one year without cumulative effect if awarded will meet the end of justice and accordingly punishment was imposed upon the workman vide final order dated 20-3-99. Appeal preferred by the charged employee against the punishment order dated 20-3-99 could not find favour at the hands of the appellate authority which vide its order dated 20-4-99 was rejected and the punishment awarded to the delinquent employee was confirmed. Being aggrieved by the aforesaid action the Union of which workman was a member raised an industrial dispute which in turn referred to by the appropriate Government for adjudication to this tribunal.

3. The case of the workman is that the opposite party has falsely implicated the workman in a false case, and in fact article alleged to be recovered from his possession was brought by him from his house after the workman returned from his residence taking lunch to protect himself from rains. Workman requested to provide copies of documents on the basis of which charges were framed against him but the opposite party did not supply the same as a result of which he was deprived of making effective defence in the case. It has also been pleaded by the workman that the punishment awarded to the workman is wholly illegal. The issuance of chargesheet to the workman is the resultant effect of hot discussion held between him and the Assistant Security Officer. The disciplinary authority did not properly apply its mind while awarding punishment, like the appellate authority also disposed off the appeal of the delinquent employee without application of proper mind and in this way the order of the disciplinary authority as well as of appellate authority are liable to be set aside. Even the disciplinary authority did not follow the provisions of sub-rule (1) (b) of Rule 16 (CC&A) Rules 1965. In this way the entire action in the name of disciplinary action against the delinquent employee is liable to be set aside and increment so withheld by way of punishment be released in his favour.

4. Opposite party contested the claim of the workman by way of filing of detailed written statement inter alia alleging therein that the concerned workman was carrying approx. 05 talc sheet in his bag which was detected by Assistant Security Officer on 9-2-99. The workman even did not disclosed his T.No. and name when asked for the same by the officer at the gate and in this way the workman behaved in such a manner of unbecoming of a government servant and thus violated Rule 3 of CCS (CC&A) Rules 1965, for which workman was issued a chargesheet by the disciplinary authority. The matter was investigated by the disciplinary authority. himself and on his being satisfied that the charge levelled against the employee is proved he imposed upon him punishment of stoppage of one increment for one year without cumulative effect under minor penalty chargesheet issued to the workman under Rule 16 of CCS (CC&A) Rules, 1965. The employee also indulged himself in riotous behaviour with ASO on duty. The reply tendered by the delinquent employee against the charge sheet was not found satisfactory and that as the inquiry against the delinquent employee was initiated under minor penalty, the disciplinary authority has rightly refused the request of the employee concern and has thus rightly imposed upon the punishment of stoppage of increment for one year without cumulative effect. It is further alleged that being disciplinary authority, he is competent to waive holding of regular enquiry in the case of minor chargesheet under the above rules. The punishment awarded to the delinquent employee is based on appraisal of material available on the record and if the

punishment has awarded it cannot be said that the said punishment is against rules of is against the rules of principle of natural justice. On the basis of above it has been prayed that as the claim of the delinquent employee is devoid of merit, the same is liable to be rejected.

5. After exchange of pleadings between the parties both contesting parties have led oral as well as documentary evidence. Whereas workman has examined himself as M.W.1 in support of his claim Sri S.C. Rawat has been examined on behalf of opposite party as M.W.1 in support of their case. Management has failed 9 documents per list dated 3-5-2003, whereas workman has filed almost the same documents together with the statement of claim barring the report of ASO.

6. I have heard the respective authorised representative at length and have also perused the documentary evidence as well oral evidence available on record carefully. It is not in dispute that the workman was issued a minor penalty chargesheet under the provisions of CCS (CC&A) Rules, 1965, which provides a different procedure to examine the correctness of the allegations levelled against the delinquent employee. It is also not in dispute that the disciplinary authority himself has conducted the proceeding of enquiry under minor penalty chargesheet. It is settled principle of law that the disciplinary authority can himself conduct an inquiry or can order some officer to conduct inquiry on the allegations of misconduct against its employee, and if the disciplinary authority himself choses to conduct inquiry on minor penalty charges, discretion lies with the disciplinary authority to waive the exhaustive and lengthy procedure to probe an inquiry and in case if the disciplinary authority on consideration of the reply submitted by the delinquent employee is satisfied that the charge stands prove against the employee concerned, it would be in his competence to impose minor punishment on the employee. On a careful scrutiny of the record produced by the opposite party, Tribunal do not find any irregularity or illegality in the conduct of inquiry by the disciplinary authority. It is also settled principle of law that in disciplinary cases strict rules of evidence Act are not applicable. Misconduct are weighed on probabilities and preponderance of evidence. It has come on record that the chargesheeted employee was found carrying polythene sheet in his bag while coming out of the workshop after duty hours. It has also come on record that the charged employee denied giving relevant information on being asked from him by the Assistant Security Officer at the main gate of the workshop. From the record it is also clear that the reply submitted by the charged employee against the charge memo was not found satisfactory by the disciplinary authority. Records of the case also go to reveal the fact that the workman has not

stated any reason as to why he had been in inculpated in the case nor the workman has stated any bias or enmity against the Assistant Security Officer. Under these circumstances it is not clear as to why Assistant Security Officer will inculcate the workman in a false case had actually he was not involved in the case or he was not having any polythene sheet in his bag while coming out of the factory campus. Workman has palpably failed to establish the fact that the polythene found in his bag belongs to him or that he actually brought the same after he returned to the factory after hours to protect himself from rains. It is a common knowledge that the workman where works is a defence establishment of the Government of India and is under close security zones by the Military Personnels. If at all the workman has brought the polythene from his home in his bag in the factory premises at least he ought to have tried to make an entry at the entrance gate with the security personnels to the effect that because of rain he had brought such and such length polythene to protect himself from rains. Had there been any entry to this effect in the records of the entrance gate of the factory and in that event had the same been recovered from the bag of the workman, the position would have certainly been otherwise and in that situation if at all the workman had been charged in such circumstances it could have been safely held that the workman has been falsely implicated in a case and have been awarded punishment illegally.

7. In view of the foregoing reasons the tribunal is fully satisfied that the concerned workman has rightly been held guilty of the charges by the disciplinary authority and that the disciplinary authority has rightly imposed punishment of stoppage of increment for one year without cumulative effect upon the workman. Since tribunal also find that there is no illegality or irregularity in the conduct of inquiry hence it is held that the inquiry conducted against the workman was in accordance with principles of natural justice and the workman was afforded every possible opportunity to defend himself by the disciplinary authority. Since it is not a case of dismissal, discharge or removal, therefore, the tribunal is not empowered to interfere with the punishment awarded to the workman in exercise of its powers conferred under Section 11-A of Industrial Dispute Act, 1947. Under these circumstances punishment awarded to the workman does not call for any interference at the hands of the tribunal. Accordingly it is held that the action of the opposite party in imposing punishment vide order no.21206/6655-DPP/Est. In dated 20-3-99 is justified and legal. Result would be that the workman is held entitled to no relief.

8. Reference is answered accordingly.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2932.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या सी जी आई टी-52/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-40012/125/2004-आई आर (डी यू)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2932.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-52/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 4-7-2006.

[No. L-40012/125/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-52/2005.

Reference No. L-40012/125/2004 [IR(DU)]

Smt. Sarbati Devi,
W/o Shri Shubh Lal,
R/o Valmiki Basti,
Ward No. 9, Chirawa,
Jhunjhunu (Rajasthan)

.....Applicant

Versus

1. The Chief General Manager,
Bharat Sanchar Nigam Ltd.,
Jaipur (Rajasthan)

2. The Divisional Engineer (Adm.)
GM Office,
Bharat Sanchar Nigam Ltd.,
Jhunjhunu (Rajasthan)

..... Non-applicants

PRESENT :

Presiding Officer : Sh. R. C. Sharma
For the applicant : Sh. Shailendra Bahwada
For the non-applicant : Sh. N.C. Goyal
Date of Award : 31-5-2006

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of Sub-sections 1 and 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred this industrial dispute for adjudication to this Tribunal which runs as under :—

"Whether the action of the management of BSNL, Jhunjhunu dated 24-4-2002 is justified in not regularizing the services of claimant Smt. Sarbati Devi as full time employee as per Circular of Chief General Manager, BSNL, Jaipur dated 13-7-2001 (copy enclosed), if not, what relief the claimant is entitled to and from which date?

2. The workman has pleaded in her claim statement in the year 1974 she was engaged by Sub Divisional Engineer, BSNL, Chirawa for sweeping and cleaning the premises who continuously worked, but vide order dated 24-4-2002 her service was terminated by showing her absent from the month of November, 2000. She has further stated that vide order dated 24-4-2002 the junior persons to her were converted from part time sweeper (for short, PTS) into full time sweeper and she also requested to appoint her as a full time sweeper, but her request was declined. She has further stated that she had completed a length of 25 years of service and is entitled to be appointed as a full time sweeper. It has also been stated that she had completed 240 days of work in each calendar year, whose service was terminated in violation of the provision under Section 25-F of the Act. She has urged that the order terminating her service dated 24-4-2002 be set aside and she be reinstated to the post of full time sweeper along with other consequential benefits.

3. The non-applicants, denying the fact that the workman was employed as a sweeper w.e.f. the year 1974, have stated that whenever she swept the premises the payment of wages thereof was made to her and that she was also performing the sweeping job in other offices and residential houses and did not turn up to her duty subsequent to the month of November, 2000. They have categorically stated that the order dated 24-4-2002 does not apply to the workman's case as she had never been PTS and that the alleged names of persons whose services were converted from PTS to full time sweeper have not been disclosed by the workman.

4. On the pleadings of the parties the following points for determination were framed :

- I. Whether the applicant was engaged to the post of Safaiwala w.e.f. the year 1974 by the non-applicant corporation, who continuously worked till 24-4-2002 when her service was terminated in violation of Section 25-F of the Act? BOA
- II. Whether she is entitled to be regularized as a full-time employee? BOA
- III. Relief, if any.

5. In the evidence, the workman has submitted her affidavit and on behalf of the non-applicants the counter-affidavit of S.K. Jangir, SDE has been placed on the record. Both these witnesses were cross-examined by the respective opposite representative. The workman has also led the documentary evidence.

6. I have heard both the parties and have scanned the record. The point-wise discussion follows as under.

Points No. I and II

7. Since both these points involve the identical facts, they are being discussed together hereunder.

8. The Id. representative for the workman contends that the workman was employed in the year 1974 as PTS and is working till now in the same capacity. The Id. representative has placed his reliance upon the working days details Ex. W-1 and W-2 along with receipts Ex. W-3 and has further contended that vide order Ex. W-4 and PTSs were converted into the full time sweeper, but this relief was refused to the workman on the pretext that she was absconding from November, 2000. The Id. representative further contends that the workman fulfills the conditions of the officer order Ex. W-4, who has completed 240 days of work in the preceding 12 months and is below the age of 60 years. As such her services be regularized as full time sweeper.

9. Responding to these submissions, the Id. representative for the non-applicants submits that the order dated 24-4-2002 is in accordance with the circular dated 13-7-2001 whereby the employer must have been working on the date of the order Ex. W-4, that the case of the workman was considered and specific reasons have been assigned by stating that she was absconding since November, 2000. The Id. representative further submits that Madan Lal and Santara Devi had complied with the terms and conditions of the circular and it hardly matters whether they were junior to the workman. The Id. representative has also questioned the age of the workman by contending that in Ex. W-2 her age has been shown as 46 years as on 1-1-2001, which shows that she was working as PTS at the age of 12 years in 1974, who could not be appointed being a minor person. The Id. representative has contended that in the preceding calendar year the workman had not completed 240 days and that she was not in the employment on 13-7-2001.

10. I have considered the rival contentions.

11. At the outset, it may be pointed out that the workman has pleaded in her claim statement that she was under the employment of the BSNL w.e.f. the year 1974, but her service was terminated vide order Ex. W-4 dated 24-4-2002 by describing her absenting from the duties since November, 2000. She has also urged that she be reinstated in the service. But it is not in consistent with

the terms and conditions of the reference which only confines the jurisdiction of this Tribunal to the consideration as to whether the claimant is entitled for regularization of her services as full time sweeper in view of the circular issued by the Chief General Manager, BSNL dated 13-7-2001. Therefore, the Court has to adjudicated a limited issue to this extent only.

12. The workman has set forth a case before the Court that she is continuously working as PTS from 1974 till date and the junior persons to her were converted from the PTS to the full time sweeper by the order Ex. W-4 dated 24-4-2002. During the course of the arguments, it has been contended on behalf of the workman that she is also entitled to be converted as full time sweeper in view of the circular dated 13-7-2001. Per contra, the case on behalf of the BSNL is that the disputant is absenting herself w.e.f. November, 2000 and on the date of issuance of the circular i.e. on 13-7-2001 she had not completed 240 days of work in the preceding calendar year.

13. Now, the question which crops up before me for determination is whether the workman had completed 240 days of continuous service in the preceding 12 months from 13-7-2001.

14. Ex. W-1 to W-4 are the undisputed documents. Ex. W-1 is the chart of working days put in by the disputant in the year 1998 which indicates the completion of 365 days during this year. Ex. W-2 is the table of working days in the year 2000 which shows that she was working from January to the last of October of the same year and had completed 305 days during this year. Ex. W-3 is the photocopies of a set of the receipts of payment of wages whereby the last payment of wages was made in the month of December, 1999. Ex. W-4 is the order dated 24-4-2002 issued in pursuance of the circular dated 13-7-2001 whereby the services of Madan Lal and Santara Devi were converted from the PTS to the full time sweeper, whereas this relief could not be granted to the disputant on account of absenting herself since November, 2000.

15. The vital document in adjudicating the controversy is the circular dated 13-7-2001 issued by the General Manager of the BSNL. Its para 1 lays down that the part time casual labourers who are absent from a long time and have not completed 240 days in the preceding 12 months may be removed from the work and in future they may not be re-engaged as such in any case. Para 2 further states that the part time casual labourers, who are working at this time and have completed 240 days as on the date of issue of this letter may be considered for conversion into full time casual labourers. Para 3 embodies a condition that the casual labourers having attained the age of 60 years as on the date of the issue of the circular are unsustainable.

16. Now, in view of the parameters laid down by this circular, it has to be determined whether the disputant was working with the BSNL on 13-7-2001 and had completed 240 days of service during the preceding calendar year as well as that she was below the age of 60 years. Pondering over the first point, the preceding calendar year from the date of 13-7-2001 is found to be from 14-7-2000 to 13-7-2001. The disputant has placed her reliance upon Ex. W-2 to establish that she had completed 240 days of service during this calendar year and on a close scrutiny of the working days mentioned therein relating to the period from 14-7-2000 to the end of this year, the working days are reckoned as 109 days in total. No documentary evidence could be adduced on the record indicating that the workman was working in the year 2001. Contrary to it, the table Ex. W-2, relied upon by both the parties, reflects that she was not performing in the year 2001. Apart it, there is no documentary evidence gathered on the record which also leads to infer that the workman was under the employment of BSNL on 13-7-2001 i.e., the date of issuance of the circular. As such, both the requirements, the completion of 240 days in the preceding calendar year as well as the workman's continuation in service on 13-7-2001, could not be fulfilled by her.

17. Now, I proceed to examine the oral evidence adduced by both the parties.

18. Though MW-1 S.K. Jangir has stated in his affidavit that the workman did not turn up to her duty subsequent to November, 2000, yet in his cross-examination he has disclosed unawareness about the fact as to whether the workman is continuously working from 1974 till date. Therefore, his testimony is indefinite. Similar is the position of the workman's evidence who has deposed in her cross-examination on 27-2-2006 that her service was terminated three years ago. In a specific question put to her that she had not joined her duties subsequent to November, 2000, she has replied that she does not understand November, 2000 and has pleaded ignorance about the fact that it is mentioned in Ex. W-3 that she had not worked from November, 2000. She has further stated that she is illiterate and that she has not submitted any document on the record showing that she worked for 240 days in the year 2000. She has also admitted that she was paid the wages for the work performed by her during the full year and got the receipts of payment of wages, but has submitted only six receipts before the Court while the rest of the receipts have been misplaced by the kids in her house. On scrutinizing the workman's evidence it is found to be vague which has not been corroborated by the cogent documentary evidence. The burden to prove that she had completed 240 days in the preceding calendar year lies upon her which could not be discharged by adducing the receipt of wages or any other reliable document in support of her oral testimony. Therefore,

she has failed to prove the onus of this issue. The ld. representative for the BSNL in support of her contention that the fact of proving the completion of 240 days in the preceding 12 months lies upon the workman is fortified by the decision reported in (2005) 8 SCC 450 referred to by him. Accordingly, both these issues are decided against the workman to this effect that she had not completed 240 days of work in the preceding calendar year from 13-7-2001 and as such she was not entitled for regularization of her services as full time sweeper as per the circular dated 13-7-2001.

RELIEF

19. From the foregoing reasons, the workman is entitled to no relief.

20. In the result, the reference is answered in the negative against the workman and it is held that the order issued on behalf of BSNL dated 24-4-2002 is justified in not regularizing the services of claimant Smt. Sarbati Devi as full time employee as per the circular dated 13-7-2001. Her claim is dismissed. An award is passed in these terms accordingly.

21. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R.C. SHARMA, Presiding Officer

नई दिल्ली, 4 जुलाई, 2006

का. आ. 2933—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार 297 कंपनी सेवा सेवा कोर्पस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-11 नई दिल्ली के पंचाट (संदर्भ संख्या 1, 2, 3 तथा 4/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-14012/34 से 37/98-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2933.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No's. 1, 2, 3, & 4/2001) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the management of 297 Company Sena Seva Corps and their workmen, which was received by the Central Government 4-7-2006

[No. L-14012/34 to 37/98-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, NEW DELHI****PRESIDING OFFICER:**

R.N. RAI I.D. Nos. 1, 2, 3 & 4/2001

IN THE MATTER OF:—

Shri Samay Singh,
S/o Shri Sesh Ram,
C/o. A. Khan, Advocate,
R/o. 5/385, Trilokpuri,
Delhi-91.

Versus

The Officer, Commanding
297 Coy. ASC(SUP) Type B,
Roorkie,
District: Haridwar-249401.

AWARD

The Ministry of Labour by its letter No. L-14012/34/98-IR (DU), L-14012/35/98-IR (DU), L-14012/36/98-IR (DU), L-14012/37/98 IR (DU) Central Government Dt. 21-11-2000 has referred the following reference for adjudication.

The points run as hereunder:—

1. "Whether the action of the management of 297 Company Sena Seva Corps (Purti), Parkar C, Roorkie in terminating the services of Shri Samay Singh Ex. Casual Labour w.e.f. 19-5-1997 is legal and justified? If not to what relief the workman is entitled."
2. "Whether the action of the management of 297 Company Sena Seva Corps (Purti), Parkar C, Roorkie in terminating the services of Shri Jagpal Singh Ex. Casual Labour w.e.f. 19-5-1997 is legal and justified? If not to what relief the workman is entitled."
3. "Whether the action of the management of 297 Company Sena Seva Corps (Purti), Parkar C, Roorkie in terminating the services of Shri Karanpal Singh Ex. Casual Labour w.e.f. 19-5-1997 is legal and justified? If not to what relief the workman is entitled."
4. "Whether the action of the management of 297 Company Sena Seva Corps (Purti), Parkar C, Roorkie in terminating the services of Shri Jagpal Singh Ex. Casual Labour w.e.f. 19-5-1997 is legal and justified? If not to what relief the workman is entitled."

All the ID Cases involve the same subject matter for adjudication. Evidence in all the cases is common so all the cases are decided together.

The workmen applicants have filed claim statement. In the claim statement it has been stated that they were employed as casual labour by the management and since

then they had been working as directed for work in Godown or Storage or Chowkidari for about 12 years from 8.00 Am to 5.00 PM.

That the workmen's salary was paid by the management after passing of two months.

That the management terminated the services of the workmen without previous notice or information on 19-05-1997, when the workmen requested the management to regularise their service.

That on 27-1-1999 the Ministry of Labour informed the workmen that the workmen case is not made out for making reference due to the reasons (i) it is found that the establishment is part of the Armed Forces of the nation and hence their activities constitute to be sovereign functions. Hence the provisions of ID Act are not applicable. (ii). It is also found that the workmen had not worked for more than 240 days during 12 months prior to the alleged termination and hence they are not eligible for protection.

That the workmen filed writ petition (Civil) No. 6254/2000 in the Hon'ble High Court of Delhi against the order of the Ministry of Labour regarding not making reference to the Hon'ble Labour Court. The Govt.'s Counsel appeared in the Hon'ble High Court of Delhi and before the next date of writ petition the Ministry of Labour sent the present reference.

That this Hon'ble Court has jurisdiction to entertain this application.

That the workmen are unemployed since the above said termination from the service by the management.

The management has filed written statement. In the written statement it has been stated that the present claim of the workmen is false, frivolous and misconceived and not maintainable in the eye of law, therefore, the same is liable to be dismissed on the following grounds:—

That the claimants/workmen have not been in employment of the management and there existed no relationship of casual labour and servant between parties before the Hon'ble Tribunal and therefore, the provisions of ID Act, 1947 is not applicable in the instant case and therefore, the instant reference before the Hon'ble Tribunal is bad in the eyes of law and the Hon'ble Tribunal has no jurisdiction to adjudicate. It is submitted that in the fact the said workmen were engaged by management as casual labour.

That the present dispute is covered by the CAT, Principal Bench, New Delhi judgement dated 16th February, 1990 in the case of Shri Raj Kamal and others Vs. UOI.

The guidelines in the matter of recruitment of the persons on daily wages basis in Central Government Office were issued vide this department O.M. No. 49014/2/86-Estt(C) dated 7-6-1988. The policy was further reviewed in the light of the judgement of the CAT, Principal Bench, New Delhi decided on 10-2-1996 in the writ petition filed by Shri Raj Kamal and others Vs. UOI and it has been

decided that while the existing guidelines contained in O.M. dated 7-6-1988 continue to be followed, the grant of temporary status to the casual labour/employees, who are presently employed and have rendered one year of continuous service in Central Government Offices, other than department of Telecom, Posts and Railways may be regularised by the scheme as appended.

The temporary status would be conferred on all casual labourers, who are in employment on the date of issue of this O.M. and who have rendered a continuous service of at least one year which means that they must have been engaged for a period of at least 240 days (206 days in the case of office observing 5 days week). Benefits of increments of the same rate as applicable to a Group D employees would be taken into account or calculating pro-rata wages for everyone year of service subject to performance of duty for at least 240 days (206 days in administrative offices observing 5 days weeks).

The letter issued by Ms. S. Trikha, Under Secretary to the Government of India on dated 26th July, 1979 vide no. 49014/4/5/79-Estt(C), Government of India, Ministry of Home Affairs, Department of Personnel & A.R. The matter has been considered and it has been decided that the time limit of six months as stipulated in the O.M. dated 16th September, 1961 need not be insisted upon and if casual labour has put in 240 days of service in each of the preceding two years he may be considered eligible for regularisation.

The letter issued by the Director General of Supply and Transport on dated 14th March, 1981 vide their letter No. A/99682/Q/ST12, has stated that only a casual employee who has put in at least 240 days (206 days in case of 5 days week) of casual service (including broken period service) during each of the two years of service referred to above will be entitled to the benefit.

The workmen applicants have filed rejoinder. In their rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of all the workmen in all the above four cases have been taken. The management did not turn up on several dates. Evidence of management was closed on 29-5-2006 and the case proceeded ex-parte.

The following points arise for determination :—

1. Whether the workmen have worked continuously from 1984-85 till 18-5-1997.
2. Whether the respondent/management is an industry.
3. Whether the workmen deserve regularisation.

Point No. 1 :

It was submitted from the side of the workmen that all the workmen have filed their affidavit and in their affidavit they have asserted that they worked for the whole year

from 1985 to 1997. So they have been continuously working from 1985 to 1997 all the year round. Even no suggestion has been given that the workmen did not work for 240 days in any year of their employment from 1985. The fact is that the workmen have worked continuously and they were not taken as additional labourers in view of need as no name of permanent casual labourer has been disclosed in the written statement by the management. This indicates that the workmen have worked all the year round from 1985 to 1997 and the work is of continuous and perennial nature.

The management has admitted the factual position regarding the allegation of the workmen being engaged as casual labourers since 1985 to 1997.

The workmen have alleged in Para-1 of their claim statement that they are employed as casual labourers by the management and they had been working as directed for work in Godowns and Storage or Chowkidari for about 12 years from 8.00 AM to 5.00 PM. The respondent/management has filed written statement. In the written statement it has nowhere been categorically denied that the workmen were not casual labourers. The case of the management is that they are not the employees of the management but they are casual labourers. The management is not an Industry. CAF has jurisdiction regarding such matters.

The management has filed letter dated 6th June, 1997 in which it has been stated that vacancy has not been released from Ex. Army Hqrs. so the workmen have not been regularised. The management has also filed letter dated 27-12-1997 in which it has been admitted that the workmen made representations by letter dated 23-5-1997 and 28-7-1997. The management has admitted that vacancy is released from Ex. Army Hqrs. and this unit calls for suitable names from Employment Office and eligible candidates are recommended for employment by a Board of Officers.

It was further submitted from the side of the workmen that the management has filed the working years of all the workmen. It becomes quite obvious that all the 4 workmen started working from 1984-85 and they worked up to December 1997. The chart submitted by the management shows that in the year 1986-87 the workmen have worked for more than 250 days. Even in the year 1997 the workmen have worked approximately for more than 200 days. It is the admission of the management so it becomes quite obvious that the workmen have been in continuous service of the management/respondent from 1984 to 1997. So according to the own admission of the management the workmen have been working continuously for almost 12 years and in many of the years they have worked for more than 200 days and in some of the years they have worked for more than 250 days. In some years there is break but that is notional and deliberate break which is treated as continuous in view of provisions of the ID Act.

It is settled law that Sundays and holidays are to be included while calculating the date of working of a workman.

In case Sundays and holidays are included almost in all the year the workmen have worked for 200 days and in some of the years more than 240 days. So the workmen have worked for 12 continuous years and for 240 days in all the years.

The management has admitted in the written statement that it was decided by the memo dated 7-6-1988 that temporary status will be granted to all the casual labourers/employees who were employed at that time and had rendered one year of continuous service. So temporary status was to be conferred to these casual labourers as they have worked in 1986, 1987 & 1988 for the whole year. So they have been working continuously for 3 years on 7-6-1988. According to the OM dated 7-6-1988 temporary status should have been conferred on these casual labourers in view of the judgement of the CAT as stated in the written statement. The management has admitted that these workmen were engaged in 1984-85 and they have worked continuously till 1997. In such circumstances there is no question of calling for names of the workmen from employment exchange for their suitability. The management should have done so at the time of initial engagement.

The management has admitted in the written statement that vide letter No. A/99682/Q it was decided that a casual employee who has put in at least 240 days (200 days) work in case of 5 days week work of casual service during each of the two years he shall be entitled to regularisation. So according to the circulars issued by the Government of India, Ministry of Home Affairs the workmen were entitled to regularisation. The workmen have worked according to chart submitted by the management for 183 days in 1985, 1986 and 250 days in 1986, 1987 and 148 days in 1987, 1988. These are the calculations regarding the work worked out by the management. The management has submitted this chart. If this chart is believed at its face value the workmen were entitled for regularisation in the year 1987-1988 as they have worked for more than 206 days in the year 1985, 1986 and 1986-87. It appears that in order to deprive the workmen of temporary status the management has not taken any action in view of letters issued by the department of government.

From the above discussions it becomes quite obvious and absolutely clear that the workmen prior to 1988 have worked for more than 206 days for two years and according to the circular letters mentioned above the workmen were entitled for temporary status in 1988. There appears no merit in the allegation of the management that the workmen have themselves left the work. The workmen made representations in the year 1997 when their services were terminated and they approached the ALC (C) for conciliation and sent a writ petition in the Hon'ble High Court and the Ministry of Labour sent this reference. The management has not issued any notice to the workmen to resume duties.

From the above discussions it becomes crystal clear that the workmen have worked for 12 years and in most of

the years they have worked for more than 206 days and they deserved the confirmation of temporary status in 1988. The workmen have worked continuously for 12 years i.e. from 1984-85 to 1997. This point is decided accordingly.

Point No. 2 :

Whether the respondent/management is an industry : It was submitted from the side of the workmen that the judgment of the Constitution Bench (1978) 3 SCR 207 still holds the field so far as definition of 2 J of ID is concerned. The Hon'ble Apex Court in that judgment has laid down triple tests and in the light of these tests it is to be ascertained whether the respondent/management is an Industry or not.

It has been held in Bangalore Water Supply that in an Industry there should be systematic activity and it should be organised by cooperation between the employer and the employees and it should be for production and/or distribution of goods and service calculated to satisfy human wants and wishes. It has been held that absence of profit motive or gainful objective is irrelevant. The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer and employee relations. If an organization is carrying on trade and business, it is not beyond the purview of Industrial activities.

In the instant case the respondent is the Officer Commanding 27 Coy ASC (SUP), Type B, Rookie, District Haridwar. The case of the management is that the management is engaged in the aid of sovereign function. It discharges the duty of supply of articles and food items to Military. It has been stressed that CAT alone has jurisdiction and this Court/Tribunal lacks Jurisdiction the respondent is not an Industry and the workmen are not industrial workmen. It is admitted case of the management that the workmen are the casual labourers. (1978) 3 SCR — Bangalore Water Supply case is a Constitution Bench judgment. It is still holding the field in the matter of adjudication of this point.

It has been held in this case that Section 2(j) of the Industrial Disputes Act, 1947 which defines industry contains words of wide import as wide as the legislature could have possibly made them. The problem of what limitations could and should be reasonably read in interpreting the wide words used in Section 2(j) is far too policy oriented to be satisfactorily settled by judicial decisions. The Parliament must step in and legislate in a manner which will leave no doubt as to its intention. That alone can afford a satisfactory solution to the question which has agitated and perplexed the judiciary at all levels.

In this judgment the Hon'ble Apex Court has laid down triple test to ascertain whether a particular unit or undertaking is an Industry or not. It has been held in this case that where (i) systematic activity, (ii) organized by

cooperation between employer and employee (the direct and substantial element is chimerical) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious, but inclusive of material things or services geared to celestial bliss e.g. making on a large scale prasad or food). In the present case the workmen have been engaged by the respondent and they performed the assigned job for 12 years.

(b). Absence of profit motive or gainful objective is irrelevant be the venture in the public joint, private or other sector.

(b). The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer employee relations.

(d) If the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

Although Section 2 (j) uses words of the widest amplitude in its two limbs, their meaning cannot be magnified to overreach itself.

The Hon'ble Apex Court has laid down further the dominant nature test. It has been held as follows :—

“Where a complex of activities some of which qualify for exemption, others not involves employees on the total undertaking some of whom are not workmen as in the University of Delhi case or some departments are not productive of goods and services if isolated, even then the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur will be the true test. The whole undertaking will be industry although those who are not workmen by definition may not benefit by the status.

Notwithstanding the previous clauses, sovereign functions, strictly understood (alone), qualify for exemption not the welfare activities of economic adventures undertaken by Government or statutory bodies.

Even in departments discharging sovereign functions if there are units which are industries and they are substantially severable then they can be considered to come within section 2 (j).

The respondent's units is engaged in supply work. It is not sovereign function. It has been held in the above case that even arsenal or artillery department is an industry. Industry is decided on the nature of work it is performing.

From persusal of the records it becomes quite evident that the respondent/Management is engaged in a systematic human activities. The nature of function of the respondent is supply of materials. Such supply always involves systematic human activity. The respondents are not

discharging duties for gains but gainful objective is irrelevant in deciding whether an undertaking is an industry or not. In case activities of the respondents are considered in the crucible of the triple tests, respondent is obviously and definitely an industry. This point is decided accordingly.

Point No. 3 : 2005 (4) AD (SC) 39, a three Judges Bench, Judgment of the Hon'ble Supreme Court. In that case the reference culminated in an award directing the applicant to reinstate the respondent in service at his original post with continuity of service and back wages. The workman in that case has worked for 240 days and the Hon'ble Supreme Court dismissed the appeal of the management/respondent and held that the workman is entitled to reinstatement with full back wages.

In 2000 LLR 523 State of UP and Rajender Singh, the Hon'ble Apex Court ordered for reinstatement with full back wages as the services of the daily wager cleaner who worked for 4 years was dispensed with without following the procedure for retrenchment. In the instant case also no retrenchment compensation has been paid. This case law squarely covers the instant case.

It has been held in 1978 Lab IC 1668 that in case service of a workman is terminated illegally the normal rule is to reinstate him with full back wages.

In AIR 2002 SC 1313 the Hon'ble Supreme Court has held that daily wager even if serving for a short period should be reinstated.

In Appeal No. 1968/2006, a Constitution Bench Judgment in which it has been held that people engaged by Government on daily wages basis do not have the right of regularisation of their services even they have continued in the same job for years. There is no right of regular employment of a daily wager. This Constitution Bench Judgment relates to Article 226 of the Constitution and the Hon'ble Apex Court has held that daily wagers have no right of regularization. It has been held in this case that the case of the casual labour working for 7-8 years may be considered. In the instant case the workmen have worked for 12 years.

In the instant case the workmen have successfully proved that they have worked for 12 years and when they demanded regularization they were asked not to come.

It is evident from the above that in the instant case Section 25 F, G of the ID Act are attracted. In Section 25 of the ID Act it has been provided that if a workman has performed 240 days work and if the work is of continuous and regular nature he should be given pay in lieu of notice and retrenchment compensation.

It has been held by the Hon'ble Apex Court that there is no cessation of service in case provisions of section 25 F are not complied with. In the instant case no

compensation has been paid to the workmen who have continuously worked for 12 years.

It was further submitted that Section 25 T provides that the management should not indulge in unfair labour practice. Section 25 U provides that a person who commits any unfair labour practice will be punishable with imprisonment for a term which may extend to six months or with fine, which may extend to Rs. 1000/- or with both. The intention of the legislature in enacting 25 T & 25 U is obvious. The legislature wanted that in case Casual and Badlis are engaged for a long period, it amounts to unfair labour practice. There is punitive clause for committing unfair labour practice.

It was submitted from the side of the workman that Vth Schedule of the ID Act specifies some practices as unfair labour practice. The Vth Schedule clause 10 provides the criteria for ascertaining unfair labour practice. It is extracted as hereunder:-

“To employ workman as Badlis, Casually or temporaries and to continue them as such for years with the object of depriving them of the status and privilege of a permanent workman.”

Clause 10 of the Vth Schedule stipulates that in case the workmen are employed as Casually, Badlis or Temporary and they are continued as such for years, it will amount to unfair labour practice. In the instant case the workmen have been continued as casual and temporary for 12 years. It established to the hilt that the respondent management has committed unfair labour practice. The workmen have been engaged for 12 years as casual and temporary and thereafter they have been removed. They have not been paid retrenchment compensation.

It was submitted that Section 25 F, G, T, U and Clause 10 of the Vth Schedule of the ID Act have been deliberately violated.

The Constitution Bench Judgment and the other judgment referred to above of the Hon'ble Supreme Court are not applicable in view of section 25 F, T, U, & Vth Schedule. In the Constitution Bench Judgment these matters were not at issue. In case a workman has worked for 12 years and the work is of continuous and regular nature he should be paid retrenchment compensation. In case retrenchment compensation is not paid section 25 F of the ID Act is attracted. There is no cessation of his services. He is deemed continued in service in the eye of law. In case there is breach of section 25 F the service is continued and reinstatement follows as a natural consequence.

ID Act, 1947 has been enacted to safeguarded the interest of the workmen belonging to poor segment of society. It appears that legislature wanted that such workmen should not be harassed un-necessarily so section

25 F, U, T and Clause 10 of Vth Schedule have been enacted. The objects and reasons of ID Act, 1947 show that the respondent management should not be permitted to indulge in any unfair labour practice. The workman should not be engaged for years and then he should be removed all of a sudden. There is provision of retrenchment compensation for his removal. Retrechment compensation is for compensating him otherwise so that he can survive long interregnum of unemployment. In the instant case no retrenchment compensation has been paid so the workmen deserve to be reinstated.

It is quite obvious from the above that it is settled law that in case casual labourers work for 240 days and pay in lieu of notice and retrenchment compensation is not given. They deserve reinstatement with full back wages. In the instant case the workmen have worked for 12 continuous years so they deserve reinstatement. Even in the Constitution Bench Judgment cited above it has been held that the case of the Daily Wager who have worked for 7-8 years should be considered for regularization. The instant case is fit for regularization.

The workmen are manual labourers. They have asserted that they have been out of employment. They may not have been working in any establishment but it cannot be presumed that a manual labour will sit idle. They must have been doing. The workmen are manual labourers. They have asserted that they have been out of employment. They may not have been working in any establishment but it cannot be presumed that a manual labour will sit idle. They must have been doing something off and on for their survival so 10% back wages are sufficient to meet the ends of justice. The workmen deserve reinstatement as well as regularization w.e.f. 12-11-2000 with 10% back wages. The termination of services w.e.f. 19-05-1997 is set aside. The respondent should reinstate the workmen and pay them 10% back wages.

The reference is replied thus:-

The action of the management of 297 Company Seva Corps (Purty), Parkar C, Roorkie in terminating the services of S/Shri Samay Sigh, Jagpal Singh, Karanpal Singh & Shri Jagpal Singh all Ex Casual labourers is neither legal nor justified. The workmen deserve reinstatement and regularization w.e.f. 21-11-2000 with 10% back wages. The management is directed to reinstate the workmen and pay them the arrears of their wages as direct above within one month from the date of publication of the award. In case of default the workmen applicants will be entitled to get 10% interest on their back wages.

Award is given accordingly.

Date : 27-06-2006

R.N. RAI, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2934.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 69/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-7-06 को प्राप्त हुआ था।

[सं. एल-12012/19/2000-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2934.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award Ref. No. (69/2004) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 5-7-2006.

[No. L-12012/19/2000-IR (B.I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, LUCKNOW

PRESENT

SHRIKANT SHUKLA : Presiding Officer

I.D. No. 69/2004

No. L-12012/19/2000/IR (B-I) dt. 10-10-2000

Between

Sri R.S. Chowdhery
Agriculture Development Branch
SBI, Pharendra, Maharaganj (U.P.)

And

The Dy. General Manager
State Bank of India, Zonal Office
Gorakhpur-273001

AWARD

Sri R.S. Chowdhary S/o Sri Ram Milan Chaudhary R/o village Nirnam Ledwa, P.O. Pharendra Khurd, District, Maharaganj, U.P. has filed present application under section 33A of the I.D. Act.

Worker's allegations is that because of the change in conditions of service of workman are stagnating on the post since much before 1985. Workman has also prayed in

the statement of claim filed before the Tribunal for absorption of workman/Agricultural Assistants on the existing vacancies on technical posts in officer's cadre—being an incidental matter to the dispute, State Bank of India through advertisement dt. 17-6-2004 published in Employment News under the signature of General Manager (Central Recruitment and Promotion) State Bank of India, worli Bombay, is going to appoint one hundred five (105) posts of Technical Officer (Agriculture) and Four Hundred (400) officers (Marketing & Sales) on contractual basis.. Qualification for the post is B.Sc (Agriculture) and preference has been given to those who have experience of loaning etc., on Agriculture banking. It is further brought to the notice that the management of State Bank of India has planned to raise double agriculture advances within three years (3years) Probably on the basis of this policy contractual appointment are being made without holding any examination. Act of the management amounts to unfair labour practice particularly at the time then adjudication is pending before this Hon'ble Tribunal. If the management is allowed to fill up the posts on agriculture banking in the manner stated above it shall be prejudicial to the interest of workman/Agricultural Assistants. It is also contravention to provision as laid down under Section 30 of I.D. Act 1947. In case recruitment is not stopped or any interim relief deemed fit in the circumstances of the case is not granted, it will cause irreparable loss and it would adversely effect the findings of this adjudication as well. It is therefore prayed that the management be directed not to recruit Technical Officers as published in the paper is detailed above, till the decision in the adjudication case. Alternatively, management be directed to take officers against the existing vacancies from the cadre of agricultural assistants who have long technical experience on the agriculture side of banking.

The Worker applicant has filed photo copy of the advertisement published in Employment News dated 3-9 July, 2007.

The State Bank of India has field objection/written Statement. It is submitted that application under section 33A of I.D. Act. , is not maintainable and deserves to be dismissed. It is prerogative and jurisdiction of the management to appoint or engage the officers on contractual even without holding any examination and the workman cannot raise any objections to the said policy or proposed engagement on contractual basis as such powers are conferred on the bank management under section 43 of the State Bank of India Act. The recruitment of Technical Officer (farm sector) and officers (marketing & sales farm sector) in the specialist category is being undertaken by the bank in order to be able to meet the

expectations of the Government and Reserve Bank of India from State Bank of India for increased thrust on agricultural lending in various specialised field such as Dairy, Horticulture, Veterinary Science, Agronomy, Poultry, Biotech, etc. The appointment of these officers will be on contract basis. This is a special recruitment on contract basis under certain terms and conditions which are separately made for the said recruitment. The engagement of such officers is for a specific period. They are not recruited in grade of officers who are in regular service of the bank. Their conduct rules are also different. Their service rules and conduct rules are distinct from officers service rules of State Bank of India. The contract would initially be of three years subject to renewal at the discretion of the bank. The educational qualification required for technical officers is post graduate from a recognized Institute/University with a minimum marks of 70% & 65% for general and SC/ST/OBC candidates respectively and only post graduate who have passed out in the year 2003-2004 are eligible to apply. The upper age limit for these posts is 28 years for general candidates relaxable by 5 years for SC/ST and 3 years for OBC. The standard for recruitment of these officers has been kept high as these officers would not only be required to evaluate high value agricultural proposals, but also have end to end responsibility of special projects in their respective area of specialisation. It is further stated that no unfair labour practice has been adopted by the bank management. No question arise of unfair practice arise in as much as the concerned workman are not eligible for the posts for which advertisement has been made which is being made subject matter of the application under section 33-A. The proposed appointment in pursuance of the aforesaid advertisement cannot be said to be prejudicial to the interest of the workman. There is no contravention of any provision of law including section 30 of the I.D. Act.. The workman is not entitled for any relief.

Workman has examined himself as witness.

Opposite party has examined Sri A. K. Srivastava and Sri R.R. Srivastava.

Opposite party has filed photocopies of the following documents:

1. Circular MEC No. 145/2004-05 dt. 4-6-2005.
2. Service conditions rule of Management Trainees/ Executive.
3. The copy of order of Asstt. Registrar, Hon'ble High Court Judicature, Andhra Pradesh at Hyderabad in writ petition No. 19896/87 between K. Anjaneya Reddy and 13 others Vs State Bank of India Rep. by Dy. Managing Director (personal system) Central Office P.O. No. 12,

Bombay Chief General Manager, State Bank of India, Local Head Office, Bank Street, Hyderabad.

4. Order of Hon'ble Supreme Court passed in SLP (Civil) No. 18963/91 between Umesh Kumar & others Vs State Bank of India dated 20-1-92.

5. Letter of Dy. Managing Director (Personnel & System) NO. PER:IR:CIR: 99 dated 24th Sept., 87 addressed to Agricultural Banking and Rural Development Officers.

6. Memorandum of the Executive Committee of the Central Board Agricultural Banking Rural Development Officers dated 12-7-87.

7. Note of Dy. General Manager dt. 15-5-2004 regarding recruitment of specialists in the field of agricultural and allied activities.

Heard representatives of the parties and perused evidence on record.

The Government of India, Ministry of Labour referred the following schedule for adjudication to CGIT-cum-Labour Court, Lucknow vide their order No. L-12012/19/2000/IR (B-1) dated 10-10-2000.

"Whether the action of the Management of State Bank of India in undertaking a change of service conditions in respect of Sri R. S. Chaudhary and others contrary to the provisions of the appointment and career progression thereafter is just and legal? In case, it is not so, to what relief they are entitled to?"

In the said reference registered as ID No. 161/2000 between Sri R.S. Chaudhary Vs State Bank of India. Sri RS Chaudhary and others filed the statement of claim the said case alleging therein that there is separate cadre of Agricultural Assistants with that of clerical cadre on the general side known as clerk cum cashier/clerk cum typist introduced by the management of opposite party in the year 1969. For this cadre B.Sc. (Agriculture) was prescribed as minimum qualification and for the cadre of general side, minimum qualification fixed was simply High School. This post of Agricultural Asstt. was realised at the relevant time technical in nature, touching the entire loan process on the agriculture side. Hence the need for promotional policy was evolved and consequently a separate promotional policy was formulated in the year 1975 and since then this policy is remained in existence prior to the policy of merging the Cadre with the general side cadre. In the year 1984, option was offered by the management of the State Bank of India to Rural Development Officer to switch over from the cadre of specialised side of agriculture to the general side, for the purpose of getting chance of promotion to the next higher

grade i.e. in the middle management Gr. II in the general side and on that basis some took the option when they found the promotional channel on the agriculture side quite stagnant in their cadre since pretty long time. Management of State Bank of India had been pursuing for promotion as the matter had been stagnating for the last many years, despite existence of number of vacancies in the management in their utter shock and surprise they came to know that the management of opposite party in an arbitrarily manner, has reached an agreement in consultation with the All India State Bank Officers Federation & All India State Bank Staff Federation in its meeting dt. 22-11-86 by which it was decided to discontinue the rule of promotion to the post of R.D.S. Os & Trainee R.D. Os from the agricultural assistants and it was further arrived, at that posts shall be now filled by junior management grade scale I officer of the general side. It was also decided that such of those agricultural assistants who want promotion may take advantage by appearing in examination alongwith those in the general side, for higher post of Jr. Manager Grade Scale I by competing the test alongwith clerks-cum-cashier/ clerk-cum-typist. In the aforesaid manner State Bank of India evolved an illegal policy on the basis of consultation with the above said two federations deciding not to fill up the posts of Rural Development Officers/Trainee Rural Development Officers by way of appointment or promotion but opened the door for posting of people of general cadre to the said posts of Rural Development Officer/Trainee Rural Development Officers in complete violation of the statutory rules which was laid down by the opposite party in the year 1979. It is also mentioned that in the meeting of 22-11-86 no representative was present from the Agricultural Asstt. specialised side of the bank's Agricultural side. Decision taken by the opposite party in said meeting the service conditions of workman have been completely changed and they have been placed in great disadvantage. In the change of service conditions the worker will now to appear in one part of both parts of the banking examination known as CAIIB examination. As the workman have no experience of accounts side. Thus the clerks on the general side will have edge over the applicants workman. The agricultural assistants being on specialised side of agricultural business of the bank have suffered even in the case of officiating chance occasioned at the branches on the post of Teller or Area Manager (Cash). They were never given chance despite the fact that they had senior amongst the clerical staff working at the branch. The change in condition of service was brought by the letter of management dt. 15-9-87 with a view to deprive the right of agricultural assistants from promotion to the post of Rural Development Officers/Trainee Rural Development Officers in an arbitrary manner.

It is admitted fact that the agreement dt. 22-11-86 between the management with All India State Bank of India Officers Federation and All India State Bank of India Staff Federation impugned communication dt. 15-9-87 was challenged by Sri Umesh Kumar and others before Hon'ble High Court, Patna in the Civil Writ Petition No. 1103/88 Umesh Kumar and others vs State Bank of India and others which was decided in favour of the management or State Bank of India and the writ petition was dismissed. The Hon'ble High Court has held that decision of the bank as a result of policy decision and the same is not arbitrary nor unreasonable. The apprehension of the petition not well founded the judgement further said that the promotional avenues of the agricultural assistant have not been closed instead the same have been widen. The Hon'ble High Court has referred the Supreme Court Cases 1976 AIR SC 2345 Reserve Bank of India Vs. V.N. Paliwal and others and has observed that whenever the services are integrated some hardships are bound to result. Reasonable anticipation should be believed. The judgement of the Hon'ble High Court was challenged by way of SLP (Civil) no. 18963/91 Sri Umesh Kumar and others Vs State Bank of India and others and the same was dismissed. With the result that the judgement of Hon'ble High Court of Patna is final.

It is also admitted fact that Sri R.S. Chaudhary and others who filed the statement of claim in I.D. case no. 161/2000 between R.S. Chaudhary and others Vs State Bank of India do not possess the qualification for appointment as technical officer or officers marketing and sales.

The proposed posts of technical officer, Agricultural officer (marketing) are specialised post by the management of the bank and they are not regular post but post to be filled on the basis of contract for limited period to cater the needs of the bank. The worker R.S. Chaudhary do not qualify for appointment on the said post. Therefore, the application under section 33A is not maintainable and deserves to be dismissed.

ORDER

The application of Sri R.S. Chaudhary under section 33-A of I.D. Act, 1947 is dismissed. Award accordingly. Worker is not entitled for any relief.

Lucknow

29-6-2006

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2935.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्टर-एफ जिओलोजिकल सर्वे आफ इंडिया के प्रबंधन के संबद्ध निपोजक और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या

15-25/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-06 को प्राप्त हुआ था।

[सं. एल-42012/13/2004-आईआर (सी-II);

सं. एल-42012/34/2004-आईआर (सी-II);

सं. एल-42012/33/2004-आईआर (सी-II);

सं. एल-42012/31/2004-आईआर (सी-II);

सं. एल-42012/10/2004-आईआर (सी-II);

सं. एल-42012/11/2004-आईआर (सी-II);

सं. एल-42012/15/2004-आईआर (सी-II);

सं. एल-42012/12/2004-आईआर (सी-II);

सं. एल-42012/32/2004-आईआर (सी-II);

सं. एल-42012/14/2004-आईआर (सी-II);

सं. एल-42012/35/2004-आईआर (सी-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2935.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15-25/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Institute of Geological Survey of India and their workman, which was received by the Central Government on 4-7-2006.

[No. L-42012/13/2004-IR (C-II);

No. L-42012/34/2004-IR (C-II);

No. L-42012/33/2004-IR (C-II);

No. L-42012/31/2004-IR (C-II);

No. L-42012/10/2004-IR (C-II);

No. L-42012/11/2004-IR (C-II)]

No. L-42012/15/2004-IR (C-II);

No. L-42012/12/2004-IR (C-II);

No. L-42012/32/2004-IR (C-II);

No. L-42012/14/2004-IR (C-II);

No. L-42012/35/2004-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Cases No. CGIT-15/2005 to CGIT-25/2005

Reference No. L-42012/10 to 15 and 31 to 35/2004/IR (CM-II)

The General Secretary,
GSI Employees Union,
822, GSI Office,
Jalana Doongari,
Jaipur (Raj.)

.....Applicant-Union

Versus

The Director,
Institute of Geological Survey of India
Training Centre,
Jalana Doongari,
Jaipur (Raj.)

.....Non-Applicant

Present :

Presiding Officer : Shr. R.C. Sharma

For the applicant-Union : Sh. Manish Gupta

For the non-applicant : Sh. T.P. Sharma

Date of Award : 16-6-2006

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of sub-Sections 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred all these aforementioned 11 references to this Tribunal for adjudication, which having the common facts are being disposed of by this single award.

2. Succinctly speaking, the case set forth by the applicant-union is that the workmen were employed by the non-applicant establishment at Jalana Doongri, Jaipur as casual labourers who continuously worked for the period in question as depicted in the chart hereunder and completed 240 days of continuous work in the each calendar year, but their services were terminated on 10-5-2002 respectively in violation of Section 25-F of the Act.

3. Disputing the claim, the non-applicant in his written-counter has averred that the non-applicant establishment Indian Geological Survey Training Institute is a Government of India enterprise which has to adhere to the rules and regulations of the Government of India and only after following the prescribed procedure for selection suitable candidates are appointed. It has been further stated that it is only a training institute where the officers/officials of the department are being given the training as

per the prescribed training courses and the 4th Class employees are permanently appointed in the department to discharge their routine official duties, but when the trainees visit the field for training purpose, then as an assistance to them for carrying out their necessary works, at times the casual workers are engaged by the institution. Illustrating the tasks performed by the casual workers, it is pointed out that for cleaning and to carry the official equipments in the field during training courses such workmen are engaged and their services automatically came to and end on completion of training period. It has been further stated that prior to employment the workmen were made aware of the fact that their employment will continue till the period of training.

4. On pleadings of the parties the following points for determination were framed:

I. Whether the workman has completed 240 days of actual work during his employment (during the period in question) with the non-applicant management and whether his service was terminated in violation of Section 25-F of the ID Act?

BOA

II. Relief, if any.

5. In the evidence, all the workmen except Smt. Kamla Devi have submitted their affidavits respectively. They have also examined WW-2 Habib Alwi, the General Secretary of the Union. In the rebuttal, the counter-affidavits of MW-1 Dr. Dinesh Gupta, Sr. Geologist and MW-2 Laxman Singh Shekhawat, Sr. Geologist were placed on the record. All these witnesses were cross-examined by the respective opposite representative.

6. I have heard both the parties and have scanned the record. The only point framed for determination is whether the workmen had completed 240 days of actual work during his employment with the non-applicant establishment and whether their services were terminated in violation of Section 25-F of the Act.

Point No. I :

7. The Id. representative for the Union contends that the workman were appointed on different dates, but their services were terminated on 10-5-2002 without giving any notice or pay in lieu of the notice or retrenchment compensation to them, who had completed more than 240 days of service in each calendar year with the non-applicant department. The Id. representative further contends that though no documents could be produced by the workman, but they were regularly appointed by the department and the submission of the department that they were employed on arrival of the trainees in the institute is incorrect. He has then contended that the job done by the workmen was of permanent nature and the management witness could not be able to point out the specific duration in which the workmen had worked.

8. Arguing contra, the Id. representative for the department contends that the workmen were engaged for the time being when the trainees were taken on the mountains for training and the weekly training was provided by the department in which the workmen who are the local persons were called to help them. The Id. representative submits that this plea of the department has been supported by the evidence and the workmen could not prove that they had completed 240 days of service in the calendar year.

9. I have bestowed my thoughtful consideration to the rival contentions and have carefully gone through the judicial verdict referred to before me.

10. A model reference in CGIT-15/2005 is comfortably reproduced below, which resembles with the remaining references except the dates of employment.

"Whether the claimant Sh. Kalu Lal S/o Sh. Kana was in continuous service of the management of Geological Survey of India Training Centre, Jalan Doongari, Jaipur from 3-2-99 to 10-5-2002 as a labour? If yes, his termination from 10-5-2002 is legal and justified and for what relief the claimant is entitled to and from which date?"

11. The details of each of the workman's period of employment as mentioned in the concerned references are exhibited as below.

Sr. No.	Case No.	Name of the workman	Term of employment shown in the reference
1	CGIT-15/2005	Kalu Lal	3-2-99 to 10-5-2002
2	CGIT-16/2005	Shankar	2-4-83 to 10-5-2002
3	CGIT-17/2005	Homa	2-3-89 to 10-5-2002
4	CGIT-18/2005	Ramesh	2-4-83 to 10-5-2002
5	CGIT-19/2005	Smt. Kamla Devi	2-3-89 to 10-5-2002
6	CGIT-20/2005	Deva	8-3-86 to 10-5-2002
7	CGIT-21/2005	Laxman Lal	3-9-99 to 10-5-2002
8	CGIT-22/2005	Baddha	8-4-86 to 10-5-2002
9	CGIT-23/2005	Dhula	6-4-84 to 10-5-2002
10	CGIT-24/2005	Jalam	2-2-82 to 10-5-2002
11	CGIT-25/2005	Amba Lal	2-3-98 to 10-5-2002

12. Now, I proceed to examine the evidence adduced by the parties before this Court.

13. The Ld. representative for the applicant union has contended that the burden of proof lies upon the employer to show that the workmen had worked for less than 240 days by producing the documents which are in his possession and that the workmen had continuously worked during the said period, but to rebut it no proof could be produced by the department. The Ld. representative in support of his submission has placed reliance on 2005 (3) WLC Raj. 430, which says that when no appointment order was ever issued in favour of the workman then the burden of proof shifts on employer to prove that workman was never appointed. Per contra, in (2005) 8 SCC 450, the Hon'ble Apex Court has observed that the onus to prove that the workman was in continuous services of 240 days lies upon the workman and it is for the workman to prove the said factum by way of placing the receipt of salary for wages or the record of his engagement for that year. Further, the Hon'ble Apex Court in (2005) 8 SCC 750 Surendranagar Distt- Panchayat v/s Dahyabhai Amar Singh, the Hon'ble Apex Court has held that as per Section 25B of the Act the workman shall be said to be in continuous service for one year when he is in the employment of employer for the continuous uninterrupted period of one year except the period of absence permissible under the Section. The Hon'ble Court goes on to observe that "the provisions postulate that if the workman has put in at least 240 days with his employer, immediately prior to the date of retrenchment, he shall be deemed to have served with the employer for a period of one year to get the benefit of Section 25F".

14. In the light of the principle propounded by the Hon'ble Apex Court supra, it has to be examined as to whether the workmen had completed 240 days of actual service in a calendar year preceding to his termination or prior to it they were in the employment of the continuous uninterrupted period of one year.

15. Admittedly, no documentary evidence could be led on the record by either of the parties. All the workmen in their cross-examinations have respectively admitted that no written appointment letter was issued in their favour and that they have no document in support of their deposition that they had completed 240 days of service in the preceding calendar year to the termination. They have testified that in the period in question they had continuously worked and had completed 240 days of work in each calendar year. Kalu Lal has admitted in his cross-examination that they used to accompany the trainees in the field apart from doing other duties, that even in these days the training work is going on, where the regular employees are working and in addition to them they are also working. He has then admitted that since they have raised the industrial dispute, the department is calling them on joining of the trainees in the institution and about 14 labourers are going there, who have raised the industrial dispute. He has clearly admitted that whenever the training

is going on, they are called by the department otherwise not and they go on the mountain along with the trainees who hold the camp there. He has too admitted that the training is being imparted for a fixed period. He has replied that he could not file any document containing the details of the working days.

16. Similar is the testimony of other witnesses which is briefly narrated here. The workman Shankar has admitted in his cross-examination that he used to go in the field along with the trainees and on completion of the training period his employment also ceased and that since the year 2001 he never visited the field. He has pleaded ignorance as to how many days he worked in the year 1983. He has clearly admitted that it is correct to say that he was engaged only during the training period. Homa has also admitted that on joining by the trainees in the institute he was called and it is correct to say that the trainees were imparted the training where he was employed. He has then admitted that all the casual workers who were engaged at the time of giving the training, they have all been removed. Ramesh has clearly admitted that it is correct to say that he was engaged while the trainees were imparted the training.

17. The evidence of Smt. Kamla Devi was closed on 27-1-2006 since she did not appear into the witness box. Thus, in support of her claim she has not offered herself for the cross-examination and her claim could not be established.

18. Deva in his cross-examination has admitted that he was engaged only during the training period, which used to be for a fixed period. He has admitted that it is correct to say that whenever the training commenced, the department used to call him. He has pleaded ignorance as to how many days he worked in the year 2002 and has even feigned ignorance as to in which particular year he worked for how many days. Laxman Lal, Baddha and Dhula have respectively denied in their deposition that they were engaged only during the training period. But Laxman Lal has admitted that in the year 2002 all the 14 casual labourers were removed from the employment and when he was working the training was going on, which used to be fixed for two weeks at a time. Similarly, Baddha has admitted that training used to be held for the fixed period and he could not be able to point out as to how many days he worked in the particular year. Dhula has deposed that he was engaged as a Chowkidar in the camp in the year 1984, where the trainees were given the training. He has also pleaded ignorance as to how many days he worked in any particular year.

19. Jalam has deposed that he was not the member of the applicant union and he used to work in the camp. He has admitted that on 10-5-2002 all the casual workers were removed from the engagement and further he has clearly admitted that he was not engaged on any post. Amba Lal has also admitted that in the department where

he was engaged the training used to be imparted and that he used to visit the mountain where the camps were held. He has shown his inability to point out as to how many days he worked in the year 1998 and has even admitted that he had not been even a member of the applicant union. He has also admitted that he was not engaged against any post.

20. The common facts surfacing from the evidence of these workmen are that no written appointment or termination order was issued, that they do not possess any document indicating their period of employment and that they were engaged intermittently to assist the trainees while they moved to the mountain for holding the camp as one of their training programmes and that on completion of the training period, their employment came to an end. Thus, these workmen were intermittently employed on the need of the work and their oral testimony is feeble and indefinite and cannot be termed enough to establish the factum of completion of 240 days in the calendar year preceding to their termination or that they had completed one year of continuous uninterrupted service during their period of employment respectively. As such, their testimony remains uncorroborated by any cogent evidence and rather their oral testimony fortifies the stand adopted by the department that they were engaged as casual labourers to carry the equipments to the mountain while accompanying the trainees to hold the camp there and that they were engaged on the requirement of work basis, whenever the training commenced. Apart it, a few of the workmen have also admitted that they are not even the members of the applicant union and as such the union is not even authorized to espouse their claims. Evidently, the workman Kalu Lal has even admitted that whenever the trainees arrived at institute, they are called by the department and are still doing their job with the department.

21. The Ld. representative for the union has also contended that the workman had moved the application to call for the documents and the Court *vide* its order dated 20-7-2005 has directed the non-applicant to produce before the Court the relevant payment vouchers/payment sheets whereby the payment of wages was made to the workmen for the period in question, but no such document could be adduced on the record. His submission is that on this count, the adverse inference should be drawn against the department.

22. I have pondered over this issue. MW-1 Dr. Dinesh Gupta has admitted in his cross-examination that the workmen used to put their signatures on the slip vouchers, but their attendance was never marked in the attendance register. His deposition is that the payment vouchers were entered into the account books, which are kept by the department at its Hyderabad headquarters.

MW-2 Laxman Singh has stated that the attendance of the workmen used to be noted on the sheet, which were destroyed on completion of the training period. Though there is a little evidence that the slip vouchers carried the signatures of the workmen, which could not be placed before the Court by the department, yet looking to the admission by the workmen that they were employed intermittently by the department during the training period, the non-submission of the slip vouchers becomes immaterial since it is reflected that the workmen were only employed whenever the need arose and their engagement ceased on completion of the training period. As such, the factum of continuous and uninterrupted service of one year or completion of 240 days of actual work in the preceding calendar year could not be satisfactorily proved on the basis of the workmen's testimony. Therefore, the contention advanced on behalf of the union cannot be sustained.

23. On a careful examination of the evidence gathered on the record, the union has failed to discharge the burden of proving this issue and, therefore, the workmen are not entitled to get the protection under Section 25 of the Act. Accordingly, this point is decided against the union and in favour of the department.

RELIEF

24. For the foregoing reasons, the workmen are entitled to no relief.

25. In the result, all these aforementioned 11 references are answered in the negative against the applicant union and it is held that the workmen in question were not in the continuous service of the non-applicant department during the period shown opposite their names in the table supra and their termination dated 10-5-2002 is legal and justified. Their claims are rejected. An award is passed in these terms accordingly.

26. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

27. A copy of the award be kept with each connected case file.

R.C. SHARMA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2936.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जवाहर नवोदय विद्यालय के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 4/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-42012/199/2003-आईएल (सी-11)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 5th, July, 2006

S.O. 2936.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award Ref. No. 4/2005 of the Central Government Industrial Tribunal/Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya and their workmen, received by the Central Government on 4-7-2006.

[No. L-42012/199/2003-IR (C-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-4/2005

Reference No. L-42012/199/2003-IR(C-II)

Sh. Surajmal,
S/o Sh. Babulal,
C/o Secretary, Hind Mazdoor Sabha,
Bengali Colony, Chhawani,
Kota (Raj.)

.....Applicant

Versus

The Principal,
Jawahar Navodaya Vidyalaya,
Vill. & P.O. Atroo,
Distt. Baran (Raj.)

....Non-applicant

PRESENT:

SH. R.C. SHARMA : Presiding Officer:

For the applicant:	Sh. Arun Sharma.
For the non-applicant:	Sh. V.S. Gurjar.
Date of award:	15-6-2006

AWARD

The Central Government in exercise of the powers conferred under Clause 'D' of Sub-section 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred this industrial dispute for adjudication to this Tribunal which runs as under:—

"Whether the action of the Principal, Jawahar Navodaya Vidyalaya, Atru, Distt. Baran (Rajasthan) in terminating the services of the workman Shri Surajmal S/o Shri Babulal w.e.f. 31-1-2003 is legal and Justified? If not, to what relief the workman is entitled and from which date?"

2. The workman has pleaded *inter alia* in his claim statement that he was engaged w.e.f. 20-11-89 by the Principal, Jawahar Navodaya Vidyalaya, District Bara *vide* letter dated 16-11-89, whose service was illegally terminated on 11-1-91 and on raising his dispute it was referred to the Central Industrial Tribunal, Kota which by its award dated 5-3-98 held him entitled for reinstatement with back-wages. The non-applicant challenged it by filing a writ petition before the Hon'ble Rajasthan High Court which was rejected and he was taken on duty on 23-9-2002, but no arrear of back wages was given to him, for which he moved before the Labour Court and the Court *vide* its order dated 8-7-2002 computed the amount worth Rs. 98013.21. He has further stated that with regard to his claim of increment and new pay scale the Court had directed the non-applicant to fix his salary in the new pay scale along with the due annual increment, which invited the wrath of the employer and he was pressurized to forgo his claim. Ultimately, he further states, he had to move the application on 12-1-2003 before the employer praying him not to harass him, which irked him and it led to his termination on 31-1-2003. The workman has further alleged that the compensation amount is short, since his salary has been paid at the reduced rate and the annual increment has not been paid nor the arrears on account of pay fixation was paid to him.

3. The workman has also stated that in violation of Rule 77 of the ID Rules, 1957 the seniority list has not been prepared by the non-applicant and the junior persons to him, *viz.*, Ramswaroop, Omprakash and Sitaram were retained at the time of terminating his service. He has further stated that after his termination the new recruitments have been made by the non-applicant in violation of Section 25-H of the Act and Rule 78 of the ID Rules. He has urged that he may be reinstated in the service with all consequential benefits.

4. Resisting the claim, the non-applicant has averred *inter alia* in his written-counter that the workman *vide* Ex. M-1 was engaged as a casual chowkidar temporarily for a period of 179 days or till the appointment of regularly selected employee, whichever is earlier. He has admitted that an award was passed on 5-3-98 by the Central Industrial Tribunal, Kota and in pursuance of the order dated 8-7-2002 passed by the Labour Court the back-wages computed in favour of the workman was paid to him along with the interest. According to his averment, on behalf of the Vidyalaya a writ petition was preferred against the award wherein the Hon'ble Court in its order dated 23-7-2001 had given a liberty to the non-applicant to terminate the services of the workman as per law. He has pointed out that as per the order dated 8-7-2002 of the Labour Court the due amount of back wages worth Rs. 98013.12 was computed in favour of the workman and, therefore, his claim to get the annual increments and revised pay scale is not maintainable. Supporting the

workman's termination the non-applicant has stated that in accordance with the provision the compensation amount and one month's pay in lieu of the notice were paid to the workman.

5. In the rejoinder, the workman has reiterated the facts as narrated in the claim statement.

6. On the pleadings of the parties the following points for determination were framed :

I. Whether the non-applicant management has acted in contravention of the provision under Section 25-F of the Act in terminating the service of the workman w.e.f. 31-01-2003?

II. Whether the non-applicant management had retained the junior persons while terminating the service of the workman in violation of Section 25-G of the Act?

III. Whether the non-applicant management has recruited the fresh hands after terminating the service of the workman in violation of Section 25-H of the Act?

IV. Relief, if any.

7. In the evidence, the workman has submitted his affidavit and on behalf of the non-applicant, the counter-affidavit of MW-1 Ramesh Kumar Shraf, Principal has been filed. Both these witnesses were cross-examined by the respective opposite representative. Both the parties have also led the documentary evidence.

8. I have heard both the parties and have scanned the record. The point-wise discussion follows as under:

Point No. I:

9. The Id. representative for the workman contends that the workman was employed on 16-11-89 *vide* offer of appointment Ex. M-6 which reflects that he was appointed against the permanent post and after the expiry of 179 days he continued in the service, but on 11-1-91 his service was terminated who raised the industrial dispute and an award was passed by the Central Industrial Tribunal on 5-3-98 in his favour, which was challenged by the non-applicant and his writ petition was rejected on 23-8-2001. His further submission is that in the meanwhile the workman filed an application under Section 33-C (2) of the Act and on 8-7-2002, an order was passed by the Labour Court in his favour. The Id. representative has contended that on 31-1-2003 the workman's service was terminated and the law is what the Court decides. But the non-applicant complied with part A of the order dated 8-7-2002, whereas part B of the same order was not complied with. The Id. representative has asserted that on this count the compliance of Section 25-F was not made by the non-applicant because the payment was not given to the workman as decided by the Labour Court *vide* its order dated 8-7-2002 and the employer made his own law while accepting part A and rejecting part B of the same order.

His submission is that on this count the termination order is bad in law.

10. Countering these submissions, the Id. representative for the Vidyalaya submits that the present case is not concerned with the earlier story and after the judgment of the Hon'ble High Court with regard to the award dated 5-3-98, the matter was examined and the termination order was passed against the workman by giving him the retrenchment compensation and one month's pay in lieu of the notice. His submission is that there is a complete compliance of the provision under Section 25-F of the Act and the said payment was made through the cheque on 31-1-2003. The Id. representative then has contended that the plea advanced on behalf of the workman is that the amount computed by the Labour Court *vide* its order dated 8-7-2002 has not been given to the workman, but it was not the jurisdiction of the Labour Court to give direction as shown under part B of the said order. The remedy for the same lies under Section 29 of the Act and the workman did avail that opportunity. His submission is that the workman was reinstated in the position in which he was earlier employed.

11. I have bestowed my thoughtful consideration to the rival contentions and have gone through the judicial pronouncements referred to by both the parties.

12. At first, the application dated 24-5-2006 deserves to be decided. During the course of the arguments on 23-5-2006, the Id., representative for the workman referred to the letter dated 17-9-2002 addressed by the Principal of the non-applicant Vidyalaya to the workman asking him to join the duty. On 24-5-2006 the Id. representative moved an application to take this document on the record and both the parties have advanced their arguments on this point. The Id. representative for the workman has contended that after issuing this letter to the workman, he was reinstated and thereafter his service was dispensed with on 31-1-2003. His submission is that the workman was taken in the service for the specific period of 179 days is not reflected from this letter, which could not be inadvertently filed by the workman and the technicalities should be avoided in this regard.

13. It has been opposed on behalf of the non-applicant by contending that it was in the workman's possession for the last 4 years and the reason for not filing it has not been shown.

14. I have considered the rival contentions.

15. The letter dated 17-9-2002 issued by the Principal to the workman has asked him to join the services as sweeper-cum-chowkidar. Since it relates to the controversy in dispute, it is deemed proper to take it on the record in order to arrive at a reasonable conclusion in the matter. The document, therefore, is taken on the record.

16. Now, I proceed to examine whether the Vidyalaya while passing the termination order dated 31-1-2003 against the workman has followed the requirements as envisaged under Clauses A and B to Section 25-F of the Act.

17. Succinctly speaking, the workman vide memorandum Ex. M-6 dated 16-11-89 was offered the employment on purely temporary basis to the post of Chowkidar-cum-Sweeper in the Vidyalaya up to 179 days or till the appointment of regular employee, whichever is earlier on initial pay of Rs. 750/- Subsequently his service was terminated on 11-1-91 and on raising the dispute by him it was referred to the Central Industrial Tribunal, Kota which by its award dated 5-3-98 Ex. W-2 found him entitled for reinstatement with full back-wages. Thereafter the workman, it is alleged, was reinstated in the service in pursuance of the letter dated 17-9-2002 addressed to the workman by the Principal. The Labour Court by its order dated 8-7-2002 Ex. W-3 computed the amount of back-wages as Rs.98013.21/- in favour of the workman and during the proceedings of the dispute before this Court the concerned para has been marked as A to B and at para C to D the Labour Court has directed the employer to fix the salary and increment of the workman in accordance with the new pay scale.

18. The award dated 5-3-98 was assailed on behalf of the Vidyalaya by preferring a writ petition before the Hon'ble High Court and the Hon'ble Court vide its order dated 23-8-2001 dismissed the writ petition, but it has further observed that the petitioner would be at liberty to dispense with the services of the workman in accordance with law and for this the award of the Labour Court will not come in the way of the Vidyalaya.

19. The workman continued under the employment of the Vidyalaya till 31-1-2003 when by the order Ex. W-4 his service was terminated by giving him one month's pay in lieu of the notice and the retrenchment compensation.

20. Section 25-F, Clause (a) lays down that no workman shall be retrenched until he has been given one month's notice in writing or the workman has been paid in lieu of the such notice, wages for the period of the notice. Its Clause (b) says that the employer is required to pay the compensation amount to the workman at the time of retrenchment, compensation which shall be equivalent to, 15 days average pay or any part thereof in excess of six months.

21. The workman's case is that he was paid the back-wages worth Rs. 98013.21/- pursuant to the award Ex. W-2 but the revised salary and the increment thereon was not paid to him as directed by the Labour Court vide its order Ex. W-3 at part C to D. His submission, therefore, is that the retrenchment compensation falls short of the adequate amount. Contrary to it, on behalf of the Vidyalaya

it has been argued that on 31-1-2003 one month's pay in lieu of the notice worth Rs. 3876/- and an amount of Rs.29070/- on account of compensation, total Rs.32946/- were paid to the workman through the cheque dated 31-1-2003 drawn on SBBJ.

22. The Id. representative for the workman has advanced two fold contentions in this regard, firstly that the retrenchment amount has not been calculated and paid by the Vidyalaya in accordance with the direction of the Court at part B in the order Ex. W-3 and, secondly, that the letter dated 17-9-2002 indicates that the workman was appointed on the regular post of Sweeper-cum Chowkidar. The Id. representative for the Vidyalaya has sought to meet out the contentions by arguing that the workman was reinstated in his earlier status as an ad hoc Chowkidar vide order Ex. M-6 and has referred to the decisions (2005) 5 SCC 1000 and (2005) 5 SCC 122 in support of his submission.

23. In (2005) 5 SCC 1000, the Hon'ble Apex Court has observed that "a direction for reinstatement for non-compliance of Section 25-F of the Industrial Disputes Act would restore to the workman the same status which he held when terminated. The respondents would, thus continue to be teeka mazdoors.....The directions of continuity of service per se would not bring them within the purview of the terms of settlement". Similar views have been expressed in the another decision rendered by the Hon'ble Supreme Court in (2000) 5 SCC 122.

24. The observation, made by the Hon'ble Apex Court lends support to the contention canvassed on behalf of the Vidyalaya and the subsequent employment of workman on 23-9-2002 would restore him to his earlier position of the employment. The letter dated 17-9-2002, therefore, is referable to his earlier contractual engagement made vide Ex. M-6 in view of the aforesaid observation of the Hon'ble Court and it would be termed as an employment on contract basis.

25. Dwelling over the next contention raised on behalf of the workman that the copy of the letter dated 17-9-2002 was also marked to the opposite Id. representative which shows that after protected discussion this letter was issued, it is to be observed here that it is difficult to be persuaded by this submission on the count that merely forwarding a copy of the letter on behalf of the Vidyalaya to its counsel does not demonstrate that this letter was issued as per the legal advice and, moreover, no such contention can be entertained being a privileged communication between a counsel and his client. Therefore, the workman's contention is bereft of merit and is unsustainable.

26. Turning to the next contention with regard to the payment of compensation in pursuance of the

direction contained at part B of the order Ex. W-3, the Labour Court has observed in its order that the workman is entitled to get the said amount in pursuance of the award dated 5-3-98, but further it has added that it was the duty of the employer to fix his pay in the revised pay scale along with the increments. The observation appears to be directive only and furthermore in view of the decisions rendered by the Hon'ble Apex Court supra, the workman on being reinstated in the earlier status was entitled to get the wages at the rate last drawn by him and which have been awarded to him by the Labour Court. Therefore, in view of the principle propounded by the Hon'ble Apex Court, the contention set forth on behalf of the workman is not tenable and is repelled accordingly. Besides these objections, the termination order Ex. W-4 could not be impeached on any other ground of short payment of compensation amount to the workman. It, therefore, follows that the adequate retrenchment compensation in view of the clauses A and B to Section 25-F of the Act was made to the workman and the Vidyalaya has duly complied with the relevant provisions while terminating the service of the workman. The Id. representative for the workman in support of his submission of lesser payment of retrenchment compensation has referred to the following decisions, which I have gone through carefully, but they are not applicable having distinguishable features from the present controversy-1989 (58) FLR Raj. 392; 1994 (69) FLR Raj. 31; a photocopy of the order dated 25-10-2005 passed by the Hon'ble Rajasthan High Court in the matter of Kota Cooperative Marketing Society Limited, Kota v. Jahid Jussain Ansari and Anr; a Photocopy of the order dated 9-8-2005 passed by the Hon'ble Rajasthan High Court in the matter of Kota Cooperative Marketing Society Limited, Kota v. Dhanna Lal & Anr. and a photocopy of the order dated 10-2-2000 rendered by the Hon'ble Rajasthan High Court in the matter of Kota Cooperative Marketing Society Limited, Kota v. Brijnandan Singhal & Anr.

27. To conclude, the workman has failed to satisfactorily establish that the provisions under Section 25-F(a) and (b) were contravened on behalf of the Vidyalaya. Therefore, this point is decided against him.

Point No. II

28. The Id. counsel for the workman contends that the workman's service was terminated on 11-1-91 and thereafter Omprakash was appointed on 1-1-93 when the workman was out of job during this period. His submission is that the Vidyalaya has acted in contravention of Section 25-G of the Act. On behalf of the Vidyalaya it has been contended that Omprakash was regularly selected and Ex. M-3 has been tendered in support of his submission.

29. The workman at para 5 of the claim statement has named that while terminating his Service the junior persons to him, viz., Ramswaroop, Omprakash and Sitaram were retained by the Vidyalaya. Ex. M-3 is the appointment letter

to the post of Chowkidar-cum-Sweeper issued in favour of Omprakash Harijan, which indicates that he was regularly selected to the post of Chowkidar-cum-Sweeper. Contrary to it, Ex. M-6 clearly demonstrated that the workman was engaged temporarily to the post of Chowkidar-cum-Sweeper on contract basis. Therefore, the appointment of Omprakash is entirely on different footing and the workman derives no help on the ground of appointment of Omprakash who is a regularly selected candidate. The Id. representative for the workman has also placed reliance on 1995 (2) SLR P&H 664 on the rule of last come first go. But the facts of the referred to decision are not parallel to the present controversy inasmuch as that Omprakash was a regularly selected candidate. Thus, the workman has failed to discharge the onus of this issue, which is decided against him.

Point No. III

30. The Id. representative for the workman has contended that Mukesh was employed on 8-12-2004 subsequent to the workman's termination, but no opportunity of employment was given to the workman and on this count, the action of Vidyalaya fails.

31. This submission has been controverted on behalf of the Vidyalaya by submitting that Mukesh was a regularly selected candidate and in support of it the Vidyalaya has filed Ex. M-5 in support of its contention.

32. On perusal of these documents, it appears that for recruitment to the post of Sweeper-cum-Chowkidar the names of candidates were invited by the Vidyalaya from the employment exchange office and at serial No. 10 of the list figures the name of Mukesh Kumar Harijan S/o Sunderlal. The another document which is the marksheet shows that Mukesh Kumar was selected for the said post and he secured 21 marks. Again, these documents sound that Mukesh Kumar was a regularly selected candidate and the workman's case cannot be equated with the case of a candidate regularly selected by the Vidyalaya. Therefore, the workman has also not succeeded in establishing the factum of contravention of the provision under Section 25-H of the Act. This point is accordingly decided against the workman.

RELIEF

33. For the foregoing reasons, the workman is entitled to no relief.

34. In the result, the reference is answered in the negative against the workman and it is held that the termination order dated 31-1-2003 passed by the Principal, JNV, Atru terminating the workman's service is legal and justified. The claim of the workman is rejected. An award is passed in these terms accordingly.

35. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2937.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन ब्यूरो ऑफ माइन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या 85/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-42012/251/2004-आईआर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2937.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 85/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the management of Indian Bureau of Mines, and their workmen, received by the Central Government on 4-7-2006.

[No. L-42012/251/2004-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-85/2005

Reference No. L-42012/251/2004-IR (CM-II)

Sh. Hem Singh,
S/o Late Shri Prabhu Singh,
Flat No. 671/1, Ganesh Garh,
Ajmer

.....Applicant

Versus

1. Union of India,
Through Ministry of Steel & Mines,
Indian Bureau of Mines,
New Delhi.

2. The Controller of Mines,
Indian Bureau of Mines,
B-9, Tāc, B.M. Colony,
Balupura Road,
Adarsh Nagar, Ajmer

.....Non-applicant

PRESENT:

Presiding Officer : Sh. R.C. Sharma

For the applicant : Sh. Rajesh Khanna

For the non-applicants : Sh. K.S. Rawat and
Sh. Kunal Rawat

Date of Award : 15-6-2006

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of Sub-sections 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred this Industrial Dispute for adjudication to this Tribunal which runs as under :—

"क्या खान नियंत्रक, भारतीय खान ब्यूरो, बी-9, टाई.बी.एम. कालोनी, बालपुरा रोड, आदर्श नगर, अजमेर के द्वारा हेमसिंह पुत्र स्व. श्री प्रभुसिंह को दिनांक 27-8-1997 से सेवा से बर्खास्त करना उचित एवं वैध है ? यदि नहीं तो कर्मकार अपने नियोजक से किस राहत को पाने का अधिकारी है ?

2. The workman has pleaded in his claim statement that he was engaged as a chowkidar on 24-12-96 in the office of Controller of Mines, Adarsh Nagar, Ajmer, who continuously worked till 27-7-97. He has also worked earlier from September, 1986 to July, 1987 for a period of 11 months, but his service was terminated on 27-8-97 in contravention of the provision under Section 25-F of the Act. He has stated that he had completed more than 240 days in a calendar year and has urged that he be reinstated in the services with its continuity and all consequential benefits.

3. Disputing the claim, the non-applicants in their written counter have averred that the workman was never employed for the period in question and that on the basis of requirement of work his service was utilized.

4. In the rejoinder, the workman has reiterated the same facts as narrated in his claim statement.

5. On pleading the following points for determination were framed :—

I. Whether the workman joined the services of the non-applicant bureau w.e.f. 24-12-1996 and continuously worked till 27-8-1997, the date on which his service was terminated in contravention of Section 25-F of the Act ?

II. Relief, if any.

6. In the evidence, the workman has submitted his affidavit and in the rebuttal the counter affidavit of MW-1 Kedar Singh, Senior Assistant Controller of Mines was placed on the record. Both these witnesses were cross-examined by the respective opposite representatives. Both the parties have also led the documentary evidence.

7. I have heard both the parties and scanned the record. The point wise discussion follows as under :—

Point No. 1

8. The Id. representative for the workman contends that the workman was working in the mines, who had completed 100 days of work in a calendar year which is proved on the basis of the charge registers W-6 to W-18 and has further contended that he even completed 240 days of work in a calendar year also. His submission is that the management witness has also accepted that the persons named in the charge registers worked with the department. As per his submission the workman was terminated without complying with the requirements under Section 25-F of the Act and the Sundays falling in between the disputed period should also be counted.

9. Per contra, the Id. representative for the department contends that the workman had not completed 240 days of work and that the charge registers do not belong to the non-applicant department which do not carry the signatures and seals of any authority of the department. He further contends that chart having the details of work, annexure I shows the working days in which the workman had worked with the department, which are lesser than 240 days in a calendar year.

10. I have bestowed my thoughtful consideration to the rival contentions and have carefully gone through the judicial pronouncements referred to before me.

11. So far as the question of putting in 95 days of service by the workman below ground in mines as per provision under Section 25 B (2) (b) (I) is concerned, no evidence could be produced by the workman to establish this fact that he was working in mines below the ground. As per his pleadings, he was engaged as a chowkidar in the office. Therefore, the provision supra cannot be invoked in the present controversy.

12. Now, I proceed to examine whether the workman has completed over 240 days of work in the calendar year preceding to his termination. The workman's case is that he had worked in two spells, firstly from September, 1986 to July, 1987 and lastly from 14-12-1996 to 27-8-1997.

13. With regard to first duration of employment the workman has placed his reliance upon Ex. W-1, a certificate dated 20-11-1987 written by the Superintending Officer, Indian Bureau of Mines, which says that the workman Hem Singh has worked in the complex as a unskilled contingent worker for the period about 7 months during September 86 to July 87 with several breaks in between. Even if this service is taken into consideration, the total duration of employment shown by it comes to only 7 months which on calculation falls short of 240 days of actual work. Therefore, the documentary evidence tendered by the workman on this point does not establish

the factum of completion of 240 days between September 86 to July 87. Apart it, in his cross-examination he could not be able to point out as to whether he had worked only for 10 days in March 87, only 20 days in April 87, only 3 days in May 87 and 2 days only in June 87. Thus, his oral evidence is also vague and indefinite.

14. Now, I switch to the another issue as to whether the workman had put in 240 days of service in the second duration of his employment.

15. To substantiate this plea, the workman has relied upon the handing over and taking over charge registers Ex. W-6 to Ex. W-18. I have carefully scrutinized these documents and it is revealed from that the workman began his working from December 86 which ended on 27-8-97. But his employment was not in continuity and it cannot be ascertained from the photostat copies of these registers that he had completed 240 days of work during the preceding calendar year. These charge registers contain the names of other persons too and it does not satisfactorily establish that the workman was continuously working for 240 days under the employment of the department.

16. In the cross-examination, the workman had admitted that no written appointment letter was issued in his favour. Though he has answered to a question put to him that he had continuously worked from 24-12-96 to 27-8-97, yet he could not be able to point out as to how many days he worked in the month of January 97 or in any month of the year. Therefore, his testimony does not inspire the confidence and it could not be established by the workman that he had put in 240 days of continuous service during the preceding calendar year.

17. Contrary to it, MW-1 Kedar Singh has testified in his evidence that the workman had not continuously worked for 240 days and has tendered the work chart annexure I in support of his testimony. It contains the yearwise working details relating to the workman. It says that he only worked for 31 days in January 87, 10 days in March 87, 20 days in April 87, 3 days in May 87 and 21 days in June 87. Thus, he served the department only for 85 days during this period. It has been further shown in the chart that workman had put in 29 days in January 97, 26 days in February 97, 28 days in March 97, 26 days in April 97, 10 days in May 97, 16 days in June 97 and 21 days in August 97, in total 156 days only during this period. The management witness could not be shaken in his cross-examination and to a question he has replied that the details pertaining to Annexure I have been prepared on the basis of the vouchers, which he can produce before the court. As such, no fact has cropped

up from the record to discard his testimony. The management succeeds to satisfy the court that the workman had not completed 240 days of actual work during either of the spells. The Id. representative for the workman has also referred to 2006 LTC Delhi 1140 and 2005 (3) RLR 63 in support of the submission which are not applicable to the present controversy having distinguishable facts.

18. To conclude, the workman has failed to discharge the onus of this issue which is accordingly decided against him.

RELIEF

19. For the forgoing reasons, the workman is entitled to no relief.

20. In the result, the reference is answered in the negative against the workman and it is held that terminating the service of the workman w.e.f. 27-8-97 by the non-applicant department is legal and justified. The workman's claim is rejected. An award is passed in these terms accordingly.

21. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2938.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 49/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-23012/10/1994-आई आर (सी-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2938.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49/1995) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 4-7-2006.

[No. L-23012/10/1994-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, NO. 1,
CHANDIGARH**

Case No. I.D. 49/95

General Secretary,
BBMB Power Employees Union,
Q. No. 57-C, MISS Colony,
B.B.M.B., Ganguwal-140123

.....Applicant

Versus

1. The Chief Engineer (Generation),
Bhakra Beas Management Board,
Nangal Township

.....Respondent

APPEARANCES:

For the workman : Sh. Dinesh Kumar

For the Management : Sh. N. S. Bawa

AWARD

Passed on 29-5-2006

Central Government *vide* notification No. L-23012/10/94-IR (C-II) dated 1-6-95 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Management of BBMB represented by the Chief Engineer (Generation) BBMB Nangal in denying payment of monthly salary to Sh. Shamsher Singh Foreman Special (Mechanical) in cash w.e.f. 1-10-93 and his subsequent transfer from Pong Power House, BBMS Power Wing to O&M Division Hissar is justified and legal? If not, to what relief is the workman entitled to and with effect from what date?”

2. Statement of claim in this case was filed by one Amar Chand, General Secretary BBMB Power employees Union Ganguwal regarding payment of monthly salary to Shamsher Singh Foreman Special (Mech.) in cash w.e.f. 1-10-1993 and his subsequent transfer from Pong Dam Talwara to O&M Division Hissar. Union in claim statement filed for Shamsher Singh Foreman submitted that there was a joint bank account of Shamsher Singh and his wife but the bank authorities refused to entertain salary cheques in such joint saving account. Workman informed the authorities *vide* notice dated 28-9-93. He also informed them about his position in advance and demanded to pay his salary in cash and also demand the same in cash due to various irregularities regarding his salary amount, arrears and deduction of GPF as no detail was ever given. The

authorities did not pay him salary for the month of 10/93 to 2/94 and 4/94 to 6/94 and onwards against which he made request. The authorities allowed and pay him salary for the month of 3/94 and that too on 9-4-1994 alongwith all other employees.

3. That instead of releasing his salary in cash Chief Engineer Generation transferred Sh. Shamsher Singh Foreman Special (Mech) Talwara (Punjab) to Hissar in Haryana vide transfer order dated 2-6-1994 beyond his jurisdiction. That Shamsher Singh was employed as Foreman Special Mech. (Turbine Specialist) but his transfer was made to Hissar out of trade as there was no sanctioned post of Foreman Special (Mech.) at Hissar. Seniority of the employee maintained at Chief Engineer Level, hence Chief Engineer Generation was not competent authority to transfer him from Talwara to Hissar as the Hissar Admn. was under the charge of Engineer-in-chief Transmission System (BBMB), Chandigarh and thus this transfer was wrongful and unjustified. Shamsher Singh Foreman Special (Mech.) (Turbine Specialist) can not be posted and deputed to work out of his job at Hissar. Shamsher Singh workman in complinace of Chief Engineer/Generation's orders join his duty at Hissar on 13-6-1994 at his arrival was not accepted by the Executive Engineer O&M Hissar verbally on the plea that there was not any sanctioned post of his original trade i.e. Foreman Special (Mech.). Not only this he also informed that Chief Engineer Generation is not within his jurisdiction to transfer him out of his sphere of jurisdiction.

4. Shamsher Singh returned to Talwara and wanted to resume his duty there and informed the concerned authorities vide letter dated 17-6-94. That XEN Mechanical Mtc. (PW) refused him duty stating that as per earlier relieving orders which were issued by the XEN Mech. MTC Talwara not amended if any need be he can be got amended at his level. That on this Executive Engineer issued letter dated 30-6-94 which was replied by him and refuted the distorted statement of XEN O&M BBMB Hissar as it was quite contradictory that demand to release salary of Shamsher Singh was lying pending before the ALC (C) but during the pendency he was transferred out of station beyond jurisdiction i.e. too out of his original job which is violation of Section 33 of the I.D. Act, 1947 as no service conditions can be changed during the pendency. That Shamsher Singh was elected President of the Talwara Unit of the Union and as Sr. Vice President of working committee, hence his harassment for not releasing the salary and his transfer is case of victimisation being a trade unionist which is a violation of the principal of natural justice and also unfair labour practice. That Shamsher Singh was also to be considered

as protected workman but by harassing him the authorities violated Central Rule 61 of I.D. Act, 1947 for not releasing his salary for one and half year and by transferring him from Talwara to Hissar, the authorities made him scape goat out of *malafide* intention because he pointed out some indicidents of theft/pilferage.

5. The management filed written statement raising preliminary objections that no valid dispute exists between the petitioner/union and the management of BBMB and that BBMB Power Employees Union has no cause of action and that Shamsher Singh is not a workman and that workman is a regular employee governed by Punjab CSR as adopted by the BBMB therefore, this Hon'ble Tribunal has got no jurisdiction. On merits also, management denied the allegations of the workman. The management as regards withholding his salary stated to be false in view of the fact that salary was not received by workman himself whereas the management has already repeatedly offered him to pay the salary amount due to him in accordance with the instructions/policy of the management. In view of the circumstances prevailing in the State of Punjab and to protect the public fund, a policy was framed to make the payment of salary and other dues to the employees through the Nationalised Banks and BBMB adopted this policy. The management become helpless to remit the salary amount as in the aforesaid bank workman closed his account. Thereafter Shri Shamsher Singh had been requested so many time to reopen his account in any of the bank so that this claim of salary and other dues may be remitted in the bank account in accordance with the policy of the management. The management thereafter sent amount of salary from October 1993 to Jan. 1994 through cheque but he refused to accept these cheques. The management also denied all other allegations raised by the Union.

6. The Union filed the affidavits in support of their contention in evidence. The petition union examined WW1 Shamsher Singh workman, WW2 Amar Chand, WW3 Baldev Singh, WW4 Chaman Lal and WW5 Avtar Krishan and thereafter evidence of the Union was closed. The management examined MW1 H.S. Sammi, MW2 S.C. Duggal and thereafter closed the evidence.

7. Detailed final arguments advanced by the learned counsel for the both the parties were heard.

8. Learned counsel for the Union in arguments submitted that workman Shamsher Singh being a member of Union is a good Union leader and management is harassing him in one way or the other which resulted in his termination. This reference was sent by the competent authority to the learned Tribunal to decide (i) Whether the action of the management of BBMB represented by the

Chief Engineer (Generation) BBMB, Nangal in denying payment of monthly salary to Sh. Shamsher Singh Foreman Special (Mechanical) in cash w.e.f. 1-10-93 and (ii) his subsequent transfer from Pong Power House, BBMB Power Wing to O&M Division, Hissar is justified and legal. If not to what relief the workman is entitled.

9. Workman submitted that though earlier he opted for taking salary through bank but later on closed his bank account and thereafter his salary was not paid to him in cash despite notices served on the management. Workman informed the management before the closure of the bank account. The management to harass him transferred him to Hissar and there he was posted at Charkhi Dadri and there he was not allowed to join and he was dismissed from service. Later on the management reinstated him and his transfer to Charkhi Dadri in Hissar within jurisdiction of the BBMB is malicious and malafide and just to harass him he being an effective Union leader fighting for the cause of the Union and workers working in BBMB. He also referred to judgments (1) 1993 SC (4) SLR page 349 wherein it is held that malafide transfer not in public interest is bad, (2) 1994 (6) 425 wherein it is held that transfer not made in public interest and made in colourable exercise of powers is bad, (3) 1994 (1) SLR page 838-839 of the Hon'ble Supreme Court in wherein it is held that transfer order passed by an authority not competent to do so it was invalid and non est.

10. While summing up his arguments he submitted that management during pendency of this dispute after seeking permission from the Tribunal dismissed his services but later on reinstated him. He submitted that non payment of salary to the workman is violation of the right of the workman, he has the right to demand his salary in cash. Transfer can be set aside on the ground of malafide. It is also submitted that wages were paid in cash along with other workmen but he was not denied the wages. He was transferred maliciously without consent of the other Chief Engineer which was without jurisdiction. He submitted that petitioner has proved that the action of the management of non payment of salary to the workman Shamsher Singh in cash and thereafter transferring him to other place is malicious and unjustified and illegal. In the claim statement the workman has claimed that monthly salary to Shamsher Singh from 10/93 to date may please be determined and authorities may be directed to release the same with heavy costs (2) that transfer of Shamsher Singh Foreman Special Mech. from Pong Power House, BBMS Power Wing to O&M Division, Hissar may be declared unjustified and illegal and out of prejudice and from vested interest and any other relief.

11. On other hand learned counsel for the management strongly opposed the contentions of the

Union. He firstly referred to the statement of workman. In his cross-examined workman Shamsher Singh stated that "in 1986-87 in Punjab law and order situation was not good. Bank robberies were also taken place. In Talwara also where I was posted attempt was made to loot a bank..... I had opted that my salary be paid through bank. It is correct that I had opted in Nov. 1986. Thus I was getting my salary up to 1-10-1993. My wife was taking my salary. After 1-10-1993, I closed my bank account. Before closing account in the bank I had given one month notice to the management. The management told me that the payment will be made only through the bank. The payment in cash will not be made by the management. It is correct that every time the management paid my salary through the bank cheque and through the bank draft but I refused with protest. In the year 1999 I accepted all those payments in cash from the management under protest. The management did not ask my option in 1995 as to whether I will accept my salary in cash or through the bank. In 1995 law and order situation in Punjab had improved". Learned counsel submitted that workman has no cause of action. He has already received the payments as admitted by him in his statement in court that in the year 1999 that I accept all the payments in cash from the management under protest. As per the claim statement relates to this remaining period only if he succeed regarding payment in cash only because he has accepted payment in the year 1999 he will be entitled to interest. He also submitted that in the year 1986, under a policy the management decided to pay salary to all employee through the bank and to this decision workman/Union till 1-10-1993 has no objection. On 1-10-1993 workman closed his account for the reasons he knows better and that thereafter except him all employees of the BBMB were taking their salary through bank and workman Shamsher Singh alone raised unnecessary dispute that his salary may be paid in cash on the frivolous ground that he could not get the salary statement of each month. For one person the entire system and policy can not be changed. He was paid from 1-10-1993 for some month as alleged by him through the bank but he refused to accept the salary. It is crystal clear that workman Shamsher Singh was responsible in not getting his salary whereas the management was already making the payment through his bank account. Keeping in view of the improved law and order situation the above instructions were revised vide letter dated 20-3-1995. According to these instructions if the unit as a whole opted to receive the payment of salaries and other dues in cash they were allowed to do so. Accordingly the petitioner was at liberty to receive the payment of his salary for the month of October 1993 to Feb. 1994, and

4/94 to 4-6-1994 at any time from the office of Resident Engineer (PPH Divn.)(PW) on any working day after giving advance notice of his intention to receive the payment of his salary for the above period. But Shamsher Singh workman made it a prestige issue and has been insisting for making payment in cash just to get the policy decision annulled for no rhyme or reasons cash payment of salary. Learned counsel submitted that as workman admitted in his cross-examination that he received payments, therefore, no cause of action left and workman is insisting for the payment in cash just to influence people of his leadership. Accordingly the first above issue may kindly be decided in favour of the management as the act of the management was just and legal.

12. Further learned counsel submitted that as regard transfer order of workman Shamsher Singh from Talwara to Hissar it is settled principle of law that an employee holding a transferable post has no vested right to remain posted at one place or the other. He is liable to be transferred from one place to the other. Transfer order does not infringe any of his legal rights. He was appointed in BBMB (PW) vide appointment order issued by the Chief Engineer/Electrical, BBMB, Chandigarh and it has been stipulated in clause 1(v) of his appointment letter that he can be transferred anywhere within the jurisdiction of the BBMB and it is not disputed by him in his evidence which is as under :

"it is correct that he was appointed in BBMB in 1981. I had accepted the appointment letter under protest. My protest was enclosed in my service book. It is correct that one of the terms and conditions of my appointment was that I shall be transferable within the jurisdiction of the BBMB..... It is correct that I was transferred to Hissar under the orders of the Chief Engineer, Generation BBMB, Nangal. In compliance of this transfer I had gone to Hissar and returned back after three days. From Hissar I started back the same day because Executive Engineer, who was there, told me that he was unable to comply with the orders of the Chief Engineer, Generation because he was not his boss. On 13-6-1994 I had gone to Hissar and had signed the register of BBMB Guest House in token of getting a room there. I had gone there by a special car and had entered the car No. at the gate..... I did not receive any telegramme to join at Charkhi Dadri. It is correct that I had received 3/4 letters asking me to join at Charkhi Dadri. Workman Shamsher Singh was transferred within jurisdiction of BBMB and he did not join at Hissar on one or the other ground by taking false pleas. Executive Engineer O&M had advised the petitioner on 18-6-94 to join his duties at 220 KV GSS, Charkhi Dadri but he did not join there for the reasons best known to him. He was again directed to join at Charkhi Dadri but he did not join

at Charkhi Dadri and insisted to resume his duty at Talwara against his transfer orders which was a clear cut violation of conduct rules and amounted to wilful disobedience, disrespect to the superior authority. He has been intimidated by the Executive Engineer, Mech. Mts. BBMB (PW), Talwara that since he stands relieved from that office so he can not be allowed to join back his duties at Talwara without the orders of the competent authority.

13. That non-joining by Shamsher Singh, the management decided to dismiss the workman and dismissed on 19-7-1999 from the service of the respondent. Faced with the situation workman addressed a letter to the Chairman BBMB with copy to the Prime Minister, the Chief Minister and all Trade Unions at Talwara. Workman on 25-8-1999 went on hunger strike and workman was arrested on 27-8-99 and sent to judicial custody and thereafter on the request of the representatives of the Joint Action Committee, BBMB, Talwara, workman was willing and desirous to join his duty at Charkhi Dadri as per existing transfer orders. Workman joined duty at Charkhi Dadri on 1-9-1999 willingly and without any objection, therefore the scope of the reference to the extent subsequent transfer of Shamsher Singh from Pong Power House BBMB (PW) to O&M Division, Hissar is just and legal has been rendered infructuous and liable to be dismissed on this ground. Shamsher Singh was also now received Rs. 38022/- of his monthly salary for the period 1-10-1993 to 4-6-94 voluntarily and without any objection which is subject matter of reference in hand.

14. While summing up his arguments he submitted that as per the disclosure came from the evidence of the workman from his cross-examination that it is correct that one of the term and condition of the appointment letter was that he can be transferred within the jurisdiction of the BBMB, he was given appointment letter but had accepted the appointment letter under protest, there is no such mention in his joining report "that he is joining duty under protest". From the above facts it is quite clear that this issue become infructuous as he only raised first issue of getting his salary in cash while other through bank and just to keep his union activities in lime light of workers, he disobeyed the order of his transfer, workman has no cause of action, reference may be decided in favour of the management.

15. In view of the above submission of learned counsel for the parties and my perusal of oral evidence, documents and law referred, I have found that this is the reference sent for adjudication on two issues which are as under :

(1) "Whether the action of the Management of BBMB, represented by the Chief Engineer (Generation)

BBMB, Nangal in denying payment of monthly salary to Sh. Shamsheer Singh, Foreman Special (Mechanical) in cash w.e.f. 1-10-93.

AND

(2) His subsequent transfer from Pong Power House, BBMS Power Wing to O&M Division Hissar is justified and legal ?

16. I prefer to decide issue No. 1 above first in this regard the management has relied on the evidence of the workman itself WW1 Shamsheer Singh workman for whom his Union raised this dispute, he himself submitted in his evidence on oath and admitted that in the year 1986-87 law and order situation in Punjab was not good. Bank robberies were also taken place in Talwara also. He opted that his salary be paid through bank. It is correct that he had opted in Nov. 1986. Thus he was getting his salary upto 1-10-1993. His wife was taking my salary. After 1-10-1993, he closed my bank account. Before closing account in the bank he had given one month notice to the management. He demanded payment of his salary in cash on the ground that he is feeling difficulty and that salary slip is not given. I have found that workman can not prove that in case he get his salary in cash this problem will automatically solve. There is no difficulty in payment by cheque or cash. A cheque of total amount is paid and similarly a total amount is paid in cash. Regarding salary slip, if there is any inconvenience, he can refer it to the accounts branch.

17. The main objection of the management that entire institution has opted for getting salary through cheque including the workman, however alone workman can not be paid in cash. As per management the reason behind is that the workman is a leader of his union and he just wanted to impress his co-workmen in raising this frivolous issue. The workman admittedly has a right to get his salary in cash and if opted through cheque in a big establishment, if one person particularly who is a leader of the union if chooses to go differently from other, it is very difficult for the management to continue policy for one. He himself a leader and he himself is pressing for cash payment whereas not a single word has come on record that other workmen are also willing to do so. Workman/union could not produce any reason to show that cash system of payment of salary is to be allowed for the entire union. He also failed to show any law on this point that for only convenience of one person entire system should be changed and Shamsheer Singh should get the payment of salary in cash alone.

18. I am of the considered view that management has proved that they can not change the entire system of payment for one man and therefore, refusal not to pay to

the workman Shamsheer Singh the salary in cash w.e.f. 1-10-93 is legal and justified.

19. As regard IInd issue his subsequent transfer from Pong Power House, BBMS Power Wing to O&M Division Hissar is justified and legal. In this regard workman contention are that when he was not paid his salary in cash, instead of releasing his salary in cash he was transferred from Pong Power House Wing to O & M Division Hissar. Union has raised a dispute that transfer of workman Shamsheer is malafide, unjust and just to harass the Union leader. It is also strongly argued for the union that the transfer order dated 2-6-94 is beyond his jurisdiction. From the evidence of the workman, workman has tried to make out a case that throughout, he was against his transfer from Pong Dam Talwara but admitted in cross examination in his evidence on oath stated that he was appointed in BBMB in 1981. He had accepted appointment letter in protest and his protest was enclosed in service book. It is correct that one of the condition of his appointment was that he can be transferred within jurisdiction of BBMB. In his appointment letter he was appointed on post of Foreman special. In joining report also he join as Foreman special. He was transferred to Hissar under orders of Chief Engineer Generation BBMB Nangal. On the basis of order he went to Hissar and returned after three days. He started back on the same day because Executive Engineer who was there told him that he was not under the control of Chief Engineer Generation because he was not his boss. On 13-6-94 he had gone to guest house and had signed guest house register to get a room. Here he has tried to make out a case that he wanted to join at Hissar but they have not allowed him to join but the same is denied by the management and the management witness denied all these allegations. Further it is admitted by witness that he was asked to join duty at Charkhi Dadri and after receipt of public notices in news paper he did not join his duty. He joined duty in 1999 at Charkhi Dadri after about 5 years. He also admitted that management had sought permission to dismiss him and the Labour Court permitted the BBMB to dismiss him. He was dismissed from service. Thereafter, he had proceeded on hunger strike. After his hunger strike he was permitted to join at Charkhi Dadri with the intervention of the joint action committee. He also admitted that at that time he wrote filthy slogans on the walls of the BBMB. On the other hand management witness H.S. Sami and S.C. Duggal were examined. MW2 S.C. Duggal has admitted in his statement in cross examination that Chief Engineer of Transmission Wing and Generation Wing are separate as per requirement one employee can be transferred from one wing to another wing. BBMB is requirement base and not consent base and consent of the employee is not required for

transferring him from generation to transmission and on vice versa but consent of Chief Engineer is required. There is no hard and fast rules that permission of other Chief Engineers taken prior or later. The transfer is in public interest.

20. In this case learned counsel for the management has strongly argued that by evidence of the MW1 Sh. H. S. Sami, and by documents the management has proved that Shamsher Singh workman of the petitioner union joined duty at Charkhi Dadri on 1-9-99 willingly and without any objection and also had received the payment amounting to Rs. 38001 for his monthly salary and other dues for the period 1-10-93 to 4-6-94. After workman went on hunger strike and his arrest etc. a meeting of the representatives of the JAC BBMB, Talwara Union and member power BBMB, Chandigarh was held at Nangal on 30-8-99 vide letter of S.E. Talwara addressed to JAC BBMB, Talwara and minutes of meeting were sent to the Union vide Ex. M22. As per these minutes it was decided on the request of JAC of the UNION to take a sympathetic view in this case and that it is stated by JAC that workman Shamsher Singh himself joined duty at Charkhi Dadri Unit. After the decision arrived at between the petitioner union and the management respondent BBMB, Shamsher Singh joined his duty and submitted his arrival report to Sb. Station Engineer at Charkhi Dadri Hissar which is Ex. M23.

21. As per learned advocate for the management, now matter came to an end all disputes solved and the workman was reinstated and started working with the management. He was also paid his arrears which he also accepted.

22. In view of the above submissions of both the parties and my perusal of record, evidence and documents, I am of the considered view that the action of the management of the BBMB in denying the salary to Shamsher Singh workman in cash w.e.f. 1-10-93 is just and legal above. As regards second issue that his subsequent transfer from Pong Power House, BBMB Power Wing to O&M Division, Hissar in view of the documents, firstly that BBMB was having jurisdiction to transfer him from Talwara to Hissar not based on any malafide on the part of the BBMB, rather as per the evidence of the workman himself knowingly he is trying to make out a case of protest on transfer despite that there is a stipulated clause that his services can be transferred anywhere within the jurisdiction of BBMB his writing protest separately and not producing in the court. There is no dispute that management can transfer workman, the member of the petitioner union agrees that transfer is within the jurisdiction of BBMB, workman who

is trying to raise objection on a simple question of non-payment of salary to him alone in cash, whether his transfer in the public interest. The Management had to transfer him. The workman has no right to remain at one place through out his life when the post is transferable unless he prove that the transfer was malafide or due to bad intention of the management.

23. In view of the authority 2001(2) RSJ Page 229, NHPC Vs. Bhagwan and another and 2002(1) RSJ page 460 Supreme Court in Jagmohan Rao & Ors. Vs. State of AP and Ors. wherein it is held that courts/tribunal can not interfere unless an order of transfer is shown to be an outcome of malafide exercise of powers or stated to be in violation of statutory provisions prohibiting any such transfer which workman union failed to prove. Therefore, the management successfully proved that the action of the Management of BBMB represented by the Chief Engineer (Generation) BBMB Nangal in denying payment of monthly salary to Sh. Shamsher Singh Foreman Special (Mechanical) in cash w.e.f. 1-10-93 and his subsequent transfer from Pong Power House, BBMB Power Wing to O&M Division Hissar is justified and legal and the workman is not entitled to any relief. The reference is answered accordingly. Central Govt. be informed.

Chandigarh.

Dated : 29-5-2006

RAJESH KUMAR, Presiding Officer.

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2939.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 53/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-22012/501/1999-आईआर (सी-11)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2939.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 53/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman which was received by the Central Government on 4-7-2006.

[No. L-22012/501/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL

PRESENT:

Sri Md. Sarfaraz Khan : Presiding Officer

Reference No. 53/2000

PARTIES:

The Agent,
 Siduli Colliery of M/s. E.C.L. Siduli,
 Burdwan.

Versus

Asstt. General Secretary,
 Koyala Mazdoor Congress,
 Asansol.

REPRESENTATIVES:

For the management : Sri P.K. Das,
 Advocate.

For the union (Workman) : Sri R. Kumar,
 General Secretary,
 Koyala Mazdoor Congress,
 Asansol.

Industry : Coal

State : West Bengal

Dated the 23-5-2006

AWARD

I. In exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/501/99-IR(C-II) dated 28-06-2000 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of Siduli Colliery of M/s. ECL in not providing employment to the dependent of Sh. Ramswarup Dushad is legal & justified? If not, to what relief the workman is entitled?”

After having received the Order No. L-22012/501/99-IR(C-II) dated 28-06-2000 the aforesaid reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 53 of 2000 was registered on 17-10-2001 and accordingly

an order to that extent was passed to issue notices to the respective parties through the registered post directing them to appear in the court and file their written statements along with the documents and list of witnesses in support of case. In compliance of the said order notices through the registered post were issued to the parties concerned. On receipt of the notices Shri Rakesh Kumar, General Secretary of the Koyala Mazdoor Congress appeared on behalf of the workman and Sri P.K. Das, Advocate appeared on behalf of the management along with the duly authorized letter of authority from the competent authority.

From persual of the record it transpires that a written statement was filed on 24-7-2002 on behalf of the union. It is further clear from the record that on 24-11-2004 both the parties were present and had prayed for time which was allowed fixing 29-11-2004 as next date but unfortunately none of the parties appeared on that date fixed. After a long gap the union appeared on 29-6-2005 but again the union left taking any step on its behalf since 15-7-05 till today i.e. 23-5-06 and did not appear in the court to take suitable steps in spite of repeated adjournments. These all facts and circumstance go to show that the union has got no interest to proceed with the case further. In the present prevailing facts and circumstance it is not advisable to keep the record pending any more. As such it is hereby.

ORDERED

that let a “No Dispute Award” be and the same is passed. Send the copies of the award to the Ministry of Labour, Govt. of India, New Delhi for information and needful. The reference is accordingly disposed of.

Md. SARFARAZ KHAN, Presiding Officer.

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2940.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार आद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 41/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-07-2006 को प्राप्त हुआ था।

[सं. एल-22012/311/2004-आईआर (सी-11)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2940.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. 41/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the management of Northern Coalfields Limited, and their workman, received by the Central Government on 3-7-2006.

[No. L-22012/311/2004-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT:

Shrikant Shukla, Presiding Officer

I.D. No. 41/2005

Ref. No. L-22012/311/2004-IR (C-II)

Dt. 10-10-2005

Between :

Sri P.S. Pandey,
General Seretary,
Coalfields Labour Union,
Comp Office M-269 Bina Colony,
PO Bina Project, Sonebhadra,
Uttar Pradesh.

And

The Chief General Manager,
Northern Coalfields Limited,
Bina Project, PO Bina,
Distt. Sonebhadra (U.P.)

AWARD PASSED IN LOK ADALAT

The Government of India, Ministry of Labour, New Delhi referred the following dispute No. L-22012/311/2004-IR (C-II) dated 10-10-2005 to the Presiding Officer, CGIT-cum-Labour Court, Lucknow for adjudication;

SCHEDULE

“Whether the demand of Coalfields Labour Union for granting promotion to Sri P.S. Pandey from the back date as per the original award Dt. 16-11-98 is legal & justified? If yes, to what relief he is entitled?”

Trade union's case is that it raised the industrial dispute in connection with the promotion which was registered at I.D. No. 128/97 between Jt. Secretary, Coalfield Labour Union, Bina Project, Sonebhadra and

General Manager, NCL, Bina Project, Sonebhadra. The award was passed by the Presiding Officer, CGIT-cum-Labour Court, Kanpur on 16-11-98 with a fresh order signed by the Sri R.P. Pandey, Presiding Officer on 26-7-02. In the order dt. 26-7-02 the Presiding Officer of CGIT-cum-Labour Court Kanpur pointed out and found that some mischievous person have fabricated the last para of the award dt. 16-11-98 before publication in the Gazette. He held in his order that interpolation in the last para of the award dated 16-11-98 by the then Presiding Officer Sri B.K. Srivastava has deprived the workman from the benefits which has been granted to him by the Tribunal. He further held in his order that the act of interpolation in the award has rendered the published award erroneous which is liable to be ignored and correct award dt. 16-11-98 duly signed by Presiding Officer, Sri B.K. Srivastava as is available on the record of I.D. 128/97 be published in the official gazette for doing justice to the workman. Subsequent award dt. 26-7-2002 was notified on 18-7-2003. The Asstt. Labour Commissioner (C) ordered to employer for implementation of the award dt. 16-11-98 as per the order dt. 26-7-2002. The Assistant Labour Commissioner (C) informed the union that employer has implemented the award. The Asstt. Labour Commissioner (C) represented against the information furnished to it by the Asstt. Labour Commissioner (C). Trade union emphasised that the employer implemented the award w.e.f. 15-11-2003 instead implementing the award w.e.f. 16-11-99. Since the employer refused to award from the actual date w.e.f. 16-11-99 the industrial dispute was raised before the Asstt. Labour Commissioner (C) for proper implementation of the award. The trade union prayed the Tribunal for implementing the award dt. 16-11-98 w.e.f. 16-11-99 as per directions given in the award.

The trade union has filed photo copies of the documents;

1. Letter of ALC (C) Allahabad Address to Secretary, Govt. of India, Ministry of Labour dt. 28-6-96 regarding the dispute.
2. Order of reference dt. 24-7-97:
3. Summon of CGIT, Kanpur address to the parties.
4. Letter of Secretary trade to Secretary, Govt. of India dt. 28-9-2000:
5. Award passed in ID No 128/97 between Jt. Secretary Coalfield Labour Union and General Manager, NCL Sonebhadra Dated 16-11-98.
6. Notification dt. 30-11-98 within the photo copy of the gazette.

7. Letter of Secretary of trade union addressed to the Secretary, Govt. of India, dt. 29-9-2000.
8. Letter of CGIT, Kanpur dt. 21-8-2003 addressed to the parties.
9. Order passed in ID 128/97 between Jt. Secretary Labour Union and GM, NCL dt. 26-7-2002.
10. Corrected copy of the award.
11. Letter of ALC (C) dt. 30-9-2003 addressed to CGM, NCL, Sonebhadra.
12. Copy of notification dt. 18-7-2003
13. Letter of ALC (C) dt. 19-1-2004 addressed to CGM, NCL Sonebhadra.
14. Letter dt. 16-2-2004 of ALC (C) addressed to trade union.
15. Letter of trade union addressed to ALC (C) dt. 12-2-2004
16. Application of P.S. Pandey, Dumper Operator Gr. II dt. 15-12-2003 addressed to Dy. Chief Personal Manager, NCL, Sonebhadra.
17. Letter of Dy Chief Personal Manager, NCL, Sonebhadra dt. 15-12-2003 addressed to others including worker.

Opposite party has not filed the written statement instead preferred to settle the dispute by compromise. It is admitted fact that the management of NCL implemented the award by office order dt. 15-12-2003. Worker's plea was, that it ought have been implemented from the date of award itself since the award in the previous industrial dispute was passed on 16-11-98 the management was duty bound to pass the appropriate office order with regard to regularisation/promotion of the worker Sri P.S. Pandey. The management's plea has taken by the management verbally before the court was that the final award will be deemed to have been passed on 26-7-2002 on which the award dated 16-11-98 was amended which was notified on 21-8-2003. However, to maintain peace in the industry and have harmonious relation with the trade union and worker the management compromised with the trade union and made Sri P.S. Pandey the worker as Dumper Operator Gr. II w.e.f. 17-11-98 and the management has also undertaken to promote him as per rule after 8 years of successful service as Gr. II Dumper Operator. After hearing the parties the Tribunal has recorded the statement of trade union representative Sri R. Antony and statement of Personal Manager, NCL who was accompanied by his authorised representative Sri Sanjay Srivastava. Before recording the statement Sri Sanjay Srivastava placed before the Tribunal the

application C-12 and the compromise A-13. I have verified the compromise memo which has been submitted in the Lok Adalat. A-13 the compromise disposes of the reference in total and accordingly it also disposes the implementation of award passed in I.D. 128/97 between Jt. Secretary, Labour Union and General Manager, NCL, Sonebhadra. Award passed accordingly. The compromise paper No. A-13 shall, form the part of the award.

Lucknow SHRIKANT SHUKLA, Presiding Officer.
27-6-2006

नई दिल्ली, 4 जुलाई, 2006

का.आ. 2941.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई. ए. आर. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 109/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-07-2006 को प्राप्त हुआ था।

[सं. एल-42012/162/2004-आईआर (सी-11)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 4th July, 2006

S.O. 2941.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 109/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of I. A. R. 1 Pusa and their workmen, received by the Central Government on 03-7-2006.

[No. L-42012/162/2004-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II, NEW DELHI

R. N. RAI : Presiding Officer

ID. No. 109/2005

In The Matter of:—

Shri Rahul Gill,
Through All India CPWD (MRM),
Karamchari Sangathan, 4823, Balbir Nagar Extension,
Gali No. 13, Shahdara,
Delhi-110032.

*Versus***ANNEXURE**

The Director,
I. A. R. I. Pusa,
New Delhi-110012.

AWARD

1. The Ministry of Labour by its letter No. L-42012/162/2004-(IR(C-II) Central Government Dtd. 13/09/2005 has referred the following point for adjudication.

The point runs as hereunder :-

"Whether the demand of All India C. P. W. D. (MRM) Karamchari Sangathan in respect of reinstatement and regularization of the workman Shri Rahul Gill, S/o. Shri Ramesh Gill in the establishment of IARI Pusa, New Delhi is legal and justified? If yes, to what relief the workman is entitled to and from which date."

From perusal of the order sheet it transpires that notices to both the parties have been sent. The management was present. The workman was not present. Notice was again issued but the workman did not appear. No claim statement has been filed.

No dispute award is given.

Date : 28-06-2006

R. N. RAI, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2942.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट (संदर्भ संख्या 8/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-07-2006 को प्राप्त हुआ था।

[सं. एल-12012/154/98-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2942.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 8/99) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 04-7-2006.

[No. L-12012/154/98-IR (B-1)]

AJAY KUMAR, Desk Officer

**BEFORE SRI SURESH CHANDRA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, SARVODAYA
NAGAR, KANPUR, U.P.**

Industrial Dispute No. 8/99

Between :

Shri Shekhar Kumar Nishad
C/o U P Bank Employees Union
10/2 Patrika Marg Civil Lines
Ahmedabad

And

State Bank of India
The Dy. General Manager
SBI Zonal Office Varanasi

AWARD

1. Central Government, MOL, New Delhi, vide notification No. L-12012/154/98/IR(B-1) dated 6-1-99 has referred the following dispute for adjudication to this Tribunal :-

Whether the action of the management of State Bank of India in terminating the services of Sh. Shekhar Kumar Nishad is justified or not and whether he is entitled for reinstatement with backwages and other consequential benefits if not what relief he is entitled for?"

2. In the instant case after exchange of pleadings between the parties and after evidence when the case was taken up for dictating award it was noticed by the tribunal that the date of termination of the services of the workman by the opposite party bank is not mentioned in the schedule of reference order.

3. It may be pointed out that if on the basis of appraisal of evidence and pleadings of the contesting parties, the tribunal is of the opinion that the action of the management is neither legal nor justified then a normal question for consideration arises before the tribunal as to from what date the concerned workman be held entitled for the relief claimed by him and when the date of termination is missing in the schedule of reference order how the workman can be awarded relief and from what date.

4. In view of above discussions, tribunal is satisfied that the terms of reference order is vague and on the basis of vague schedule of reference order the workman cannot be held entitled for any relief. Reference is answered in the above terms.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2943.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एच. पी. स्टेट को. बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. I, चंडीगढ़ के पंचाट (संदर्भ संख्या 99/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-12012/86/2001-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 5 July, 2006

S.O. 2943.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (99/2001) of the Central Government Industrial Tribunal/Labour Court, No. I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of H.P. State Coop. Bank Ltd. and their workman, which was received by the Central Government on 4-7-2006.

[No. L-12012/86/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

CASE NO. I.D. 99/2001

Shri Kuldeep Singh Rathore S/o Shri Amar Singh Rathore,
C/o B-12, H. No. 347, New Jagatpura, Hoshiarpur-146001
(Punjab) Applicant

Versus

I. The Managing Director, H.P. State Co-Operative Bank
Ltd., Head Office, Kasumpti Shimla (Himachal Pradesh)-
171001. Respondent

Appearances

For the Workman : Sh. R. S. Rana
For the Management : Shri. R.P. Rana

AWARD

Passed on 23-6-2006

Central Govt. vide notification no. L-12012/86/2001/
IR (BI) dated 9-3-2001 has referred the following dispute
to this Tribunal for adjudication:

"Whether the action of the management of H.P. State Co-Operative Bank Ltd., Shimla (H.P.) in denying the two special increments for sterilization operation since 1980 to Sh. Kuldeep Singh Rathore S/o Shri Amar Singh Rathore, Ex-Clerk and in dismissing him from service w.e.f. July 1991 is just and legal? If not, what relief the workman is entitled?"

2. Workman filed his claim statement submitting that action of the management in denying two increments since 1980 and also dismissing him from services w.e.f. July 1991 are unjustified and illegal, whereas the management while filing written statement took the preliminary objection that this learned Tribunal-cum-Labour Court at Chandigarh has no jurisdiction to try and adjudicate the reference as the workman has alleged to be shown as the employee of Himachal Pradesh Co-operative Bank Ltd. Shimla registered under the H.P. Co-operative Society Act 1968. It is also pleaded on behalf of the management that no useful purpose will be served in deciding this case on merits and that when this learned Tribunal has no jurisdiction and the management bank is not in any way under the control of the Central Govt. as appropriate Govt. As defined U/S 2 (a) (i) of the I. D. Act, 1947. Both the parties also agrees to this objection of the management, to take it as pre-issue and at the request of the parties, objection of the management taken as pre issue ordered to advance arguments.

3. Arguments heard of both the parties. Learned counsel for the management submitted that Section 2 (a) (i) defines Appropriate Govt. As per above definition it means that in relation to any industrial dispute concerning any industry carried on by or under the authority of the Central Govt. or by a railway company etc.; appropriate Govt. is Central Govt. and other cases as per 2 (a) (ii) in relation to any other dispute to State Govt. so as defined U/S 2 (a) (i). The above management institution is not running or carry on its business in any way under the authority of the Central Govt. nor specifically notified on behalf of the Central Govt. Therefore, this court has no jurisdiction as the dispute relates to the State Govt. of Himachal Pradesh who is the appropriate Govt. in view of Section 2 (a) (ii) of the I. D. Act. He submitted that therefore as this learned Tribunal has no jurisdiction reference may be returned to the Central Govt. and workman thereafter may apply and appear before Tribunal-cum-Labour court of appropriate Govt. of Himachal Pradesh.

4. On the other hand in reply to the above, learned counsel for the workman submitted that claim of the workman is maintainable in this Tribunal as the Resdt. Bank is a Cooperative Society registered under the Cooperative Society Act 1968. He submitted that although the management has not taken this objection as preliminary objection in written statement but this is a legal objection and rightly can be taken at any stage and it is beginning

state of the case. He also submitted that workman filed his demand notice before the ALC. C. Chandigarh, and Central Govt. referred this dispute to this Tribunal after failure of Conciliation and this court is thus bound to adjudicate upon the reference sent by the competent authority i.e. Ministry of Labour and this dispute is not beyond the jurisdiction of this learned tribunal and this objection may be decided in favour of the workman that this learned Tribunal has the jurisdiction to adjudicate upon the present reference.

5. In view of the above submission of both the parties and my perusal of record, I found that appropriate Govt. is defined in Section 2 (a) (i) of the I. D. Act, 1947 where definition of appropriate Govt. is given, as per the definition of appropriate Govt., in view of the above Section, I am of the considered view that the management Himachal Pradesh State Co-Operative Bank Ltd. Shimla (HP) is neither carried on by or under the authority of the Central Govt. or notified to be a unit of the Central Govt. or that Central Govt. is a appropriate authority. It is no where mentioned in the list or in any of the notification that Himachal Pradesh State Co-Operative Bank Ltd. Shimla (HP) is in any way having Central Govt. as its appropriate Govt.

6. I found that workman failed to show any law or any notification or any document that management of Himachal Pradesh State Co-Operative Bank Ltd. Shimla (HP) carrying on or under the authority of the Central Govt. of concerning it being controlled industry of the Central Govt. From the definition of the appropriate Govt. It is quite clear that Central Govt. is not the appropriate Govt. of the management bank and even as per above sub-section a (2), its appropriate Govt. is State Govt. i.e. State of Himachal Pradesh.

7. In view of my above discussion, I am of the considered view that Central Govt. is not the Appropriate Govt. of the Himachal Pradesh State Cooperative bank Ltd. Shimla (HP), nor it carry on business under the authority of the Central Govt. nor in any way is under the control of the Central Govt.

8. Therefore, I am further of the considered view that this Central Govt. Industrial Tribunal-cum-Labour Court, at Chandigarh has no jurisdiction to adjudicate upon the present reference as the workman is the employee of the management whose appropriate Govt. is State Govt. of Himachal Pradesh. Accordingly, the issue whether this Court has jurisdiction to adjudicate upon the reference is decide in favour of the management as this objection raised by the management and against the workman holding that this tribunal has no jurisdiction. There is no need to decide further on merits. Workman can take legal recourse if any

he wants to take. As this Court has no jurisdiction, accordingly the present reference is returned for want of jurisdiction. Central Govt. be informed.

Chandigarh

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2944.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 19/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-12012/418/2001-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5 July, 2006

S.O. 2944.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (19/2002) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 4-7-2006.

[No. L-12012/418/2001-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI SURESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, KANPUR

INDUSTRIAL DISPUTE NO. 19 OF 2002

In the matter of dispute between

Shri Munim Ji Tiwari
S/o Ved Prakash Tiwari
Village Mochipur P.O. Terra Mallu
District Kannauj U.P.

AND

The Assistant General Manager
State Bank of India Region I
Zonal Office Mall Road, Kanpur.

AWARD

1. Central Government Ministry of Labour, New Delhi vide notification no. L-12012/418/2001/I.R. (B-II) dated 18-3-2002 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of State Bank of India in terminating the services of Sri Munimji Tiwari w.e.f. 17-4-1993 is justified? If not, what relief the workman is entitled?

2. The case in short giving rise to the present dispute as set up by the workman is that he was employed by the opposite party bank at its Kannauj Branch on daily rate basis as messenger on 10-2-90 and had worked continuously and regularly upto 16-4-93. The opposite party bank terminated his services w.e.f. 17-4-93 flouting the provisions of Sec. 25-F of Industrial Disputes Act inasmuch as he was not given notice as provided under this provisions. It is also the case of the workman that he had completed 240 days in a calendar year. It has also been pleaded by the workman that he had not been given the benefit of section 25G and 25H of Industrial dispute Act. Workman has not been provided with 14 days prior notice as envisaged under the provisions of Shastri Award at the time of termination of his services. Hence the action of the opposite party bank is bad in law and against the principles of natural justice. It is also pleaded that the workman has been deprived from continuing in service and also he has been deprived from his legal right to be regularised in the services of the opposite party bank. The workman has therefore prayed that the action of the opposite party bank in terminating his services be declared unfair and unjust and he be reinstated in the service of the opposite party bank with full back wages and continuity of service and consequential benefits.

3. The opposite party bank contested the claim of the workman by filing detailed written reply inter alia alleging there in that the claim of the applicant does not fall within the meaning of retrenchment as it is covered by the provisions of section 2 (oo) (bb) of I. D. Act, thus he is not entitled for protection of section 25F, 25G and 25H of I. D. Act. It has also been denied that the workman has rendered continuous service within the meaning of section 25-B of the I. D. Act. It has also been alleged that the claim of the workman is highly belated inasmuch as the same has been raised after 7 years from the date of cause of action. It is the specific plea of the opposite party bank that the provisions of Sastry Award are applicable only on permanent employee of the bank, therefore, the workman being outside the scope of regular employee of the bank was not entitled for benefit of 14 days notice as provided under the Award. On merit of the case it has been admitted by the opposite party bank

that the workman was engaged as daily rated labour on 10-2-90. It is also pleaded that question of payment of retrenchment compensation to the workman does not arise in the facts and circumstances of the case as he at no point of time was ever retrenched by the opposite party bank. He has also not completed 240 days of continuous service in one calendar year. It is pleaded question of breach of provisions of section 25G and 25H of the Act cannot be considered as the same is outside the scope of reference order and when it is not a case of retrenchment question of payment of retrenchment compensation to the workman does not arise at all. Workman in his entire claim statement has not disclosed the name of any junior person alleged to have been retained in the service of the opposite party bank even after his termination from the service therefore provision of section 25G of the act cannot be made applicable in the present set of circumstances of the case. In the end it has been pleaded that the claim of the workman is not maintainable and he is not entitled for any relief therefore, the claim of the workman be rejected.

4. Apart from filing of documentary evidence, both contesting parties have also led oral evidence, whereas workman himself has examined himself as W.W. 1 in support of his case, opposite party bank has examined Sri Gopi Nath Khetan, Chief Manager as M.W. 1 in support of its case.

5. The only question to be determined in the present case is as to whether the workman has rendered 240 days of continuous service prior to the termination of his services by the opposite party bank and as to whether the claim of the workman is barred by provisions of Section 2 (oo) (bb) of I. D. Act.

6. The case of the workman is that he was engaged by the opposite party bank as daily rated employee at the post of messenger at Bank's Kannauj Branch 10-2-90 and continued to work as such upto 16-4-93 whereafter w.e.f. 17-4-93 his services were discontinued by the opposite party bank in an arbitrary and illegal manner. The fact that the workman was engaged by the opposite party bank on 10-2-90 as messenger on daily rated worker has been clearly admitted by the opposite party vide para 11 of their written reply. Opposite party has not denied the fact that he had not worked upto 16-4-93. Workman in his evidence has stated on oath that he was engaged on 10-2-90 and worked as such till 5-5-93 as daily rated employee. He goes on to state that bank terminated his service on 5-5-93 and date of termination given in the schedule of reference order is incorrect. He goes on to state that he was getting Rs. 15 per day as wages.

7. In his cross examination the workman has stated that it is correct that he continuously worked w.e.f.

10-2-90 to 16-4-93. He admitted that he mentioned the date 16-4-93 on the advise of his counsel. The witness has denied the suggestion that he had not worked continuously for a period more than 240 days. He has deposed that he performed the work of permanent messenger in the bank.

8. There appears no need to appreciate the evidence led by the opposite party bank as the workman himself has demolished his case when in his examination-in-chief he had stated on oath that he had not worked upto 16-4-93 rather he had stated that he worked upto 5-5-93 when the opposite party bank terminated his services. It therefore means that the workman has no cause of action on 17-4-93 when according to his own admission in his evidence the bank terminated his services w.e.f. 5-5-93 and the date of 17-4-93 was given by him on the advise of his counsel. Under these circumstances determination of point as to whether the workman had worked for more than 240 days of continuous service prior to termination of his services and as to whether provisions of section 2 (oo) (bb) applies in the facts and circumstances of the case or not, would be of no avail and would be just a futile exercise on the part of the tribunal as on this ground the workman cannot be granted any relief of any nature whatsoever. Tribunal is inclined to hold that when opposite party according to the own admission of the workman had never terminated the services of the workman on 17-4-93, the date as is found mentioned in the schedule of reference order, the workman cannot be held entitled for any relief as no termination took place on 17-4-93.

9. For the reasons discussed above, it is held that when no termination was effected by the bank on 17-4-93 in respect of the workman, the workman cannot be granted any relief pursuant to the reference order made to this tribunal. It is accordingly held that the workman is not entitled for any relief.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2945.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट (संदर्भ संख्या 48/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-12012/245/2003-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 5th July, 2006

S.O. 2945.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/2004) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 4-7-2006

[No.L-12012/245/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI SURESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT KANPUR, U.P.

INDUSTRIAL DISPUTE NO. 48 OF 2004

In the matter of dispute between :

Smt. Munni Devi wife of Shri Kishan Lal

House No. 36 Harijan Basti Kachchi Jhopri

K.D. A. Colony near Usmanpur,

Kanpur 208082

AND

The Manager State bank of India

Branch Juhi Gaushala Crossing

Kanpur

AWARD

1. Central Government Ministry of Labour, New Delhi, vide notification No. L-12012/245/2003/I.R. (B.I) dated 14-9-04, has referred the following dispute for adjudication to this Tribunal :

"KYA PRABANDHAK BHARTIYA STATE BANK SHAKHA JUHI GAUSHALA CROSSING KANPUR DWARA SMT. MUNNI DEVI PATNI SRI KISHAN LAL SWEEPER KO JULY 1996, SE BANK SEWA SE NISHKASHIT KARNA NYAYOCHIT HAI? YADI NAHI TO SAMBANDHIT KARMKAR KIS ANUTHOSH KA HAQDAR HAI?"

2. Briefly stated facts as set by the workman in her statement of claim are that the workman was engaged as sweeper at bank's Juhi Gaushala Branch for scavenging the bank premises in the month of January 1991 and she continued to work as such till July 1996. On raising demand

for declaring the workman to be as a permanent employee of the bank, the bank opposite party terminated the services of the workman without giving anything in writing. Bank has also not paid wages to the workman for the month of July 1996, and her demand in this regard is pending. Bank without any reason had terminated the services of the workman which is illegal and contrary to the rules. Workman has further stated that from C. P. Case No. 49 of 2002 it is quite clear that the workman worked and performed the work of sweeper from 1991 to 1994. In the end it has been prayed that after accepting the claim of the workman, she may be reinstate in service with full back wages and all consequential benefits.

3. The opposite party bank contested the claim of the workman and filed a detailed written statement, *inter alia*, alleging therein that the workman was never appointed after following due selection process, workman was never given any appointment letter, workman was never paid regular pay, and that she was never issued any termination letter. Recruitment in bank are made after adhering regular selection process. The workman was engaged by the bank for short hours like 1/2 hours to sweep the branch according to need basis. She never worked as regular employee of the bank. As the workman was not appointed in terms of selection process, his termination could not mean as retrenchment as such she is not entitled for protection of the provisions of Industrial Disputes Act. Workman was only a casual workman and she was paid her wages for the work perform by her on need basis. There was no permanent vacancy in the Gaushala Branch of the Bank at Kanpur during the period 1991 to 1994. It has also been pleaded by the opposite party bank that on arrival of regular part time employee to sweep the branch, services of the workman discontinued as there was no need of the work of the workman. Since her termination cannot mean retrenchment, hence there was hardly any need to comply with the provisions of Industrial Disputes Act, 1947, before effecting her termination, as her engagement was on need basis. On the basis of above it has been prayed that the claim of the workman be rejected holding that she is not entitled for any relief.

4. After exchange of pleadings between the parties, contesting parties led documentary as well as oral evidence in support of their respective claims. Whereas Smt. Munni Devi has examined herself as M.W.I, opposite party bank examined Sri Ram Singh Kushwaha, Dy. Manager, of Gaushala Branch, Kanpur, as M.W.I.

5. A bare perusal of the schedule of reference order would make it clear that it refers the termination of the workman from the services of the Bank w.e.f. July 1996, whereas in the first instance in para 1 of her claim statement, it has been specifically pleaded by the workman that she worked with the bank continuously during the period Jan.

1991 to July 1996. Soon after in the second phase in para 5 of her claim statement it has been pleaded by the workman that she worked and performed the work of scavenging for the period 1991 to 1994, and this fact has also been verified by the workman in her cross-examination when on Oath she had denied the suggestion of the opposite party Bank that she had not worked during the period 1991 to 1994 continuously. It is thus quite obvious from the pleadings of the workman and her evidence that she had never worked upto the year 1996 the date which has been referred to in the schedule of reference order. It is also clear from the pleadings of the workman that there is difference of the year upto which the workman had actually worked with the bank. The pleadings of the workman shows that the workman herself is not clear as to upto what period she had worked. It is settled provision of law that Labour Court and Industrial Tribunal are not empowered either to enlarge the scope of reference order or to reduce the scope of reference order. From the reference it is quite clear that it relate to the year of termination as July 1996, whereas workman himself has admitted in her pleadings as well as in her evidence that she worked only upto the period of 1994. Under these circumstances Tribunal is left with no other option to hold that actually there was no termination in the year July, 1996 in respect of concerned workman as admittedly she was not in the employment of the opposite party bank in the year 1996.

6. Therefore, from the above discussions of facts of the case it is held that when the workman was not in the employment of the opposite party bank on July, 1996 question of termination of her services by the bank does not arise at all and as such she cannot be held entitled for any relief. It is further held that the schedule of reference order is vague and on the basis of vague terms of reference order workman cannot be held entitled for any relief. Accordingly reference is bound to be decided against the workman and in favour of the bank.

Reference is answered accordingly.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2946.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ राजस्थान लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 38/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-12012/119/2004-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5 July, 2006

S.O. 2946.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (38/2004) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Rajasthan Ltd. and their workman, which was received by the Central Government on 4-7-2006.

[No. L-12012/119/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JAIPUR****CASE NO. CGIT. 38/2004.****Reference No. L-12012/119/2004 -IR(B-I)**

Shri Harimohan Sharma,
S/o Sh. Ramesh Dutt Sharma,
R/o 1-KA-6, Jawahar Nagar,
Jaipur (Raj.)

...Applicant

Versus

1. The General Manager (Operation),
The Bank of Rajasthan Limited,
C-3, S. P. Marg, C-Scheme,
Jaipur (Raj.)

....Non-applicant

PRESENT

Presiding Officer	:	Sh. R. C. Sharma.
For the applicant	:	Sh. R. C. Jain.
For the non-applicant	:	Sh. Alok Fatehpuria.
Date of award	:	20-6-2006.

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of sub-sections 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred this industrial dispute for adjudication to this Tribunal which runs as under :—

“Whether the action of the management of the Bank of Rajasthan Limited, Jaipur in awarding the punishment of terminating the services of Sh. Harimohan Sharma, Clerk w.e.f. 20-11-2002 is justified? If not, what relief the workman is entitled to and from which date ?”

2. The workman has pleaded in his claim statement that while he was working as a clerk in the branch of the non-applicant bank at Jhadol, he was chargesheeted on 7-2-97. Assailing the findings of the Enquiry Officer he has stated that the charges levelled against him could not be proved, that the findings of the Enquiry Officer and disciplinary authority are perverse and that the disciplinary authority has not considered the written submissions and documents produced by him while passing the punishment order. He has also alleged that he was pressurized to admit his guilt by writing the letters dated 14-10-96 and 4-11-96. He has also stated that a criminal case was lodged against him, which was decided in his favour and the punishment inflicted upon him is unjustified and illegal.

3. Resisting the claim, the non-applicant in his written-counter has averred that the workman was chargesheeted on 7-2-97 and he had admitted his misconduct in his reply dated 24-2-97 to the chargesheet, yet the enquiry was conducted against him. Supporting the enquiry report, the non-applicant has further stated that the disputant was also provided with an opportunity to submit his case before the disciplinary authority and on his submission the disciplinary authority has passed the punishment order. It has also been stated that looking to the gravity of the misconduct the punishment inflicted upto the workman is appropriate. The non-applicant has pointed out that the documents produced on behalf of the bank have been proved which are from Ex. M-1 to M-90, whereas the workman had also produced the documents from Ex. D-1 to D-33, but did not get them proved by any of the witnesses. It has also been pointed out on behalf of the bank that the criminal court has acquitted the workman by giving him the benefit of reasonable doubt and the appeal. There is pending before the Hon'ble Rajasthan High Court. The non-applicant has stated that the disputant had preferred an appeal before the appellate authority which was rejected.

4. Under the Additional grounds, the non-applicant has averred that even the delinquent did not examine himself before the enquiry Officer nor had produced any evidence.

5. After hearing both the parties on the preliminary issue of fairness of domestic enquiry, this court vide its order dated 13-5-2005 has found the enquiry conducted against the workman to be in consonance with the principles of natural justice.

6. On finding the domestic enquiry fair by this Court vide its order dated 13-5-2005, the case was fixed for arguments on merits on 10-6-2005. On this date, an adjournment was sought by the workman and thereafter

on the consecutive dates 6-7-2005, 25-7-2005, 10-8-2005 and 31-8-2005, the workman continuously urged to give him the opportunity to argue the case and the case was adjourned. Again, on 28-9-2005, 24-10-2005, 6-12-2005, 21-12-2005 and 20-1-2006, the workman sought the opportunity to argue the case on one pretext or another. Subsequent to 20-1-2006, on 31-1-2006, the Id. representative submitted before the Court that one of the papers of the enquiry report is missing and, therefore, the non-applicant was directed to place it before the Court and the case was fixed for 15-2-2006. On this date, the representative or the non-applicant sought an opportunity and on the next date 1-3-2006 the connected paper was produced before the Court and a copy thereof was supplied to the workman, who again sought the opportunity and the case was fixed for 7.3.2006. The Id. representative Sh. RC Jain on this date in a dramatic about turn moved an application that the Presiding Officer is prejudiced against him and therefore the case should not be heard. On hearing both the parties the application was rejected with cost of Rs. 200/- and with a condition that on payment of the cost to the non-applicant the workman could be able to advance the arguments and then the case was fixed for 31-3-2006. On this date, too, the workman without paying the cost to the non-applicant sought an adjournment and it was directed by the Court that both the parties may submit the written submission before the Court by the next date and the case was fixed for 28-4-2006. Both the parties prayed for adjournment on this date and the case was further posted on 10-5-2006. On this date, Sh. RC Jain submitted an application along with the copy of transfer application that the Central Labour Ministry has been urged to transfer this case in any other Court, which after hearing both the parties was rejected. The Id. representative for the non-applicant submitted the written submission and the copy thereof was furnished to the opposite party with a direction to submit the written submission, if any, till the next date. The case was then posted on 26-5-2006. On this date the Id. representative for the workman submitted an application that on account of his computer being out of order he could not submit the written submission and an opportunity should be given to him. His request was declined and the award was reserved. However, the workman was given a liberty to submit his written submissions by 31-5-2006, but no written submissions were filed by him.

7. It transpires that the transfer application was doctored motivatedly by the Id. representative for the workman Sh. RC Jain to delay the proceedings of the case which a highly said reflection on the attitude of in difference

towards the dignity of the Court. Moreover, till the writing of this award no stay order/transfer order of the case has been received from the Ministry by this Court. It is evident that such stalling tactics are adopted on behalf of the workman to drag the proceedings of the case for an unlimited period despite the fact that more than sufficient opportunities were awarded to the workman for submission of his arguments.

8. Following the principle that "justice wears a veil of impartiality, but is neither blind nor helpless", I proceed to examine the case on the basis of the pleas adopted by the workman and the written submissions filed by the non-applicant before this Court.

9. I have scanned the record.

10. Vide chargesheet dated 7-2-97, five charges were drawn against the workman in fraudulent to fraudulent attempt to derive unlawful gain involving moral turpitude, willful insubordination (of his superior, doing) In act prejudicial to the interest of the bank, negligence in performing the duties and breach of the rules of business of the bank. Out of the five charges, except charge no. 2 the remaining charges were found to be proved. Charge no. 1 and 3 are stated to be the gross misconducts while the remaining charges no. 4 and 5 are the minor misconducts. The management examined as many as 10 witnesses and have adduced, as many as 90 documents in support of its case. The disputant did not examine himself and no evidence could be adduced on his behalf.

11. The primary contention of the workman as pleaded in his claim statement is that the findings noted by the Enquiry Officer are perverse, which has been countered by the non-applicant in his written submissions.

12. I have carefully gone through the enquiry report available at pages 276 to 291 and while according his findings the Enquiry Officer has discussed the management's evidence. He has relied upon the testimony of Kalu Lal Jain, Kanhya Lal Suthar, Kewa Lal Patel, Govind Lal and Inayat Ali and has recorded his conclusion. His findings are based on evidence, facts and material which are supported from the record. The Enquiry Officer has found four charges in total as proved conclusively on the basis of the material available on the record. The findings given by him are legal and valid which do not require any interference.

13. It is also pertinent to state here that in response to the chargesheet dated 7-2-97 the workman has also admitted the misconducts committed by him and has urged to take a lenient view while awarding the punishment to

him. Furthermore, after the closure of the management evidence, he was asked to adduce the evidence, but he had not chosen to tender any evidence in support of his case. Thus, the findings recorded by the Enquiry Officer find strength from the workman's admission as stated in his reply. In his reply he has clearly admitted the misconducts levelled against him but has urged that looking to his family circumstances and the length of service, the lenient attitude towards punishment may be taken.

14. On perusal of the punishment order dated 20.11.2002 (pages 302-306), it is surfaced that the disciplinary authority while concurring with the findings of the Enquiry Officer has himself considered the material placed before him and there is a due application of mind by him.

15. It has also been asserted by the workman in his pleadings that he was acquitted of the offences on the similar charges. A copy of the judgment delivered by the Judicial Magistrate, Sarada, Distt. Udaipur dated 7.8.2002 is placed on the enquiry record and it is evident that by the Court the delinquent was acquitted of the charges punishable under Sections 409, 467 and 477 of IPC by giving him the benefit of reasonable doubt. The Id. representative for the bank has contended that the standard of proof before in the criminal trial and in the domestic enquiry are different and the delinquent was acquitted by giving the benefit of reasonable doubt. The Id. representative in support of his submission has referred to the decision reported in (2004) 6 SCC 482, wherein the Hon'ble Court has observed that termination of services on being found guilty of participation in embezzlement and the acquittal of the same offence is not vitiativ of the termination order as termination order was pursuant to domestic enquiry which could not be claimed to have been conducted unfairly. The submission advanced by the Id. representative for the bank is fully supported from this decision and the plea adopted by the workman is untenable.

16. That leaves me for determination of the quantum of punishment and it is to be noticed as to whether the punishment imposed upon the workman is shockingly disproportionate looking to the nature of misconduct imputed against the workman.

17. The workman was charged with the gross misconducts like fraudulent attempt to derive unlawful gain involving moral turpitude and doing an act prejudicial to the interest of the bank. The Id. representative for the bank has drawn my attention towards (1997) 11 SCC 370 and 1997 LLR SE 608. In the former decision fabrication of record attracted the punishment of removal which was considered to be proportionate by the Hon'ble Apex Court, whereas in

the later judgment the Hon'ble Apex Court has observed that it appears that one of the most serious offences involving moral turpitude would be where a person employed in a banking company dealing with the money of general public commits forgery and wrongfully makes, which he is not entitled to withdraw. Both these decisions fully support the submission canvassed on behalf of the bank that on account of the gross misconduct found proved against the delinquent, the punishment imposed upon him is proportionate. The impugned punishment is in consonance with the nature of the charges found proved against the workman, which is justified and it warrants no interference by the Tribunal.

18. For the foregoing reasons, the claim of the workman deserves to be rejected.

19. Consequently, the reference is answered in the negative against the workman- delinquent and it is held that the punishment of termination of his service w.e.f. 20-11-2002 awarded by the management of Bank of Rajasthan is justified. His claim is rejected. An award is passed in these terms accordingly.

20. Let a copy of the award Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 5 जुलाई, 2006

का.आ. 2947.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. II, नई दिल्ली के पंचाट (संदर्भ संख्या 10/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-2006 को प्राप्त हुआ था।

[सं. एल-42012/7/2006-आईआर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th July, 2006

S. O. 2947.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 10/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workmen, received by the Central Government on 4-7-2006.

[No. L-42012/7/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT - II
NEW DELHI**

Presiding Officer : R.N. RAI.

I.D.No.10/2005

IN THE MATTER OF: -

Shri Shiv Singh,
S/o. Shri Balbir Singh,
C/o. Janvadi General Kamgar Mazdoor Union,
E-26, Raja Bazar (Old Qtr.), Baba Kharak Singh Marg,
New Delhi -110001.

Versus

The Divisional Railway Manager,
Northern Railway,
0/0. The DRM, New Delhi Rly. Station,
New Delhi -110055.

AWARD

The Ministry of Labour by its letter No. L-41012/7/2004-IR (B-1) Central Government dt. 07-02- 2005 has referred the following point for adjudication.

The point runs as hereunder :-

“Whether the action of the management of Northern Railway in not paying the salaries to Shri Shiv Singh, Technician, Grade - II, for the dismissal period w.e.f. 19.03.2001 to 16.12.2002 and also for the period of suspension from 29.02.1996 to 10.02.1997 consequent on his reinstatement in service w.e.f. 17.12.2002 is just, fair and legal? If not what relief the concerned workman is entitled to and from which date.”

The workman applicant has filed statement of claim. In his statement of claim he has stated that he was initially appointed as Khalasi w.e.f. 01.08.1975 and he was posted under CTXR at Tuglakabad, New Delhi and lastly he was promoted as technician, Grade - II bearing token No. 384 at Carriers and Wagon Depot, Tugalkabad, New Delhi

(2) That his services were terminated w.e.f. 19.03.2001 by the order of Shri P.K. Sharma, DME/CHG, New Delhi vide its order No.120- TRSO 85-Crime TKD II KM copy of the said order is annexed as Annexure - A.

That the services of Shri Shiv Singh were terminated on the ground that he was convicted by Shri Surinder

Kumar, Additional Session Judge, Faridabad on 03.08.1999 under Section 363, 366, 120 IPC as he was sentenced with rigorous imprisonment of three years and also imposed a fine of Rs. 200 U/s 363 IPC etc. Copy of the order of Additional Session Judge, Faridabad is also annexed as Annexure - B.

That before imposing the penalty of removal/dismissal the management had served the show cause notice to the workman vide its letter dated 07.11.2000. Copy of the said show cause notice is annexed as Annexure - C with the statement of claim.

That against the show cause notice the workman submitted his reply on 13.11.2000 and copy of the said reply is annexed as Annexure-D. Thereafter the management served a charge-sheet dated 08.01.2001 to the workman on 03.02.2001. Copy of the said charge sheet is also annexed as Annexure - E against that charge sheet the workman also submitted his reply vide its letter dated 16.02.2001. Copy of the said reply is annexed as Annexure F and finally without any proper inquiry, the services of the workman were terminated w.e.f. 16.03.2001. Copy of the same is already annexed as Annexure - A.

That as per the order of termination the workman also filed an appeal before the Sr. DMR/C&M/NDLS within 45 days and the workman also filed his appeal. Copy of the said appeal is annexed as Annexure - G.

That the Sr. DME have rejected the appeal of the workman without applying his mind vide its order dated 22.05.2001 and the said copy is annexed as Annexure - H.

That the Hon'ble Justice Mr, M.L. Singal of High Court of Punjab and Haryana at Chandigarh in a criminal appeal No.742-5B of 1999 on 14.05.2002 set aside the sentence and the applicant was also acquitted on the charges framed against him. Copy of the said judgment is also annexed as Annexure - I.

That the workman also submitted the judgment of the acquittal from the criminal charges by the Hon'ble High Court to the management for reinstatement in service w.e.f. 19.03.2001.

That the services of the workman were terminated on the charge of conviction by the Additional Session Judge, Faridabad (Haryana) and the said conviction and sentence passed by the said Court had been set aside by the Hon'ble High Court of Punjab and Haryana at Chandigarh in criminal appeal so the termination order of the management became nonest and inoperative.

That during the period of conciliation the management reinstated the services of workman on 17.12.2002 and the period from 19.03.2001 to 6.12.2002 is treated as leave due by the competent authority. Copy of the said letter is annexed as Annexure - J.

That the services of the workman was reinstated w.e.f. 17.12.2002 and salaries of suspension period w.e.f. 29.02.1996 to 10.02.1997 and also retained the payment of salary of the intermittent period during his termination w.e.f. 19.03.2001 to 16.12.2002 remained undecided. It is surprised to note that the management has decided to the period from 19.03.2001 to 16.12.2002 as "Leave Due" and this action of the management is against the Rules and Regulations on the subject and against the pronouncement of judgment of the Hon'ble Supreme Court.

That the management denied the suspension allowance to the workman during the suspension period with a view to snatch the livelihood of Shri Shiv Singh and his family members and this act of the management was against the service jurisprudence and due to uncivilized behaviour and approach towards the workman and his family members have suffered a lot and also humiliated due to financial hardship. It is submitted that the right to public employment includes right to continued public employment till the employee is superannuated as per rules or compulsorily retired or duly terminated in accordance with the procedure established by law. It is an integral part of the right to livelihood which in turn is an integral fact of right to life assured by Article 21 of the Constitution of India. Any procedure prescribed to deprive one of such right, must be just, fair and reasonable. Any law or rule in violation thereof is void.

That after issuance of reference order dated 07.02.2005 of Ministry of Labour, Government of India, Shram Shakti Bhawan, New Delhi management vide order dated 29.06.2005 only paid 50% suspension allowance of Rs. 26, 242/- and also retained 50% salary of suspension period by the management as the workman is lawfully entitled payment of full salary for suspension period after acquittal from the court as referred here in above. It is also submitted that the management also paid Rs. 1, 46, 072/- for the period from 03.08.1999 to 18.02.2002 when the workman remained in the jail. Copy of the said letter is annexed as Annexure - L.

That the non-payment of salaries to Shri Shiv Sing, Technician, Grade - II for the dismissal period w.e.f. 19.03.2001 to 16.12.2002 and also retention of the 50% of salaries for suspension period from 29.02.1996 to 10.02.1997 is unjustified, unfair and illegal because the management is

duty bound to treat the whole service period of workman on duty as per the judgement of Hon'ble Supreme Court and also according to the FR 54 referred hereinabove.

The management was present on 09.01.2006 and adjournment was sought for filing reply but reply has not been filed and management has not been turning up for a long time. On 05.04.2006 the opportunity for filing written statement was closed and the workman was directed to file affidavit and thereafter argument of the workman was heard.

It was submitted from the side of the workman that he is entitled to get the entire wages for dismissal period w.e.f. 19.03.2001 to 16.12.2002. It is admitted case of the workman that his services were terminated on 19.03.2001 on account of conviction and he remained convicted up to 15.05.2002. He is not entitled to get any wages for the period from 19.03.2001 to 16.05.2002 as he remained convicted for this period. In view of the judgment of the Hon'ble Apex Court in 2003 IXth AD (SC) 220 - Union of India Versus Jaipal Singh a workman is not entitled to get wages during the period of conviction. So the workman is not entitled to get any salary from 19.03.2001 to 15.05.2002. He is entitled to get his full wages from 17.05.2002 to 16.12.2002. He is also entitled to get suspension allowance from 19.02.1996 to 19.02.1997 as he was reinstated after acquittal on 17.12.2002.

The action of the management is not legal and justified in not making payment of the wages of the workman from 17.05.2002 to 16.12.2002. The workman deserves payment of wages for this period as his conviction was set aside on 16.05.2002. He is also entitled to get suspension allowance from 19.02.1996 to 10.02.1997.

The reference is replied thus :-

The action of the management in not paying wages to the workman for the period 17.05.2002 to 16.12.2002 is neither legal nor justified. The action of the management in withholding suspension allowance from 19.02.1996 to 10.02.1997 is also not legal and justified. The workman deserves payment of his entire wages from 17.05.2002 to 16.12.2002 and suspension allowance from 29.02.1996 to 10.02.1997. The management is directed to pay the wages and suspension allowance as specified above within two months from the publication of the award.

Award is given accordingly.

Date: 27.06.2006.

R.N. RA1, Presiding Officer

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2948.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अहमदाबाद के पंचाट (संदर्भ संख्या 1403/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2006 को प्राप्त हुआ था।

[सं. एल-30012/41/2000-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2948.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1403/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30012/41/2001-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-AT AHMEDABAD

PRESENT :

SHRI B. I. KAZI (B.SC., L.L.M.), Presiding Officer
Industrial Dispute (Reference C.G.I.T.A.) No. 1403/04
Old (I.T.C.) No. 08/2003

The Group General Manager (P), ONGC Ltd.,
Hazira Project, P.O. Bhatpore,
Surat (Gujarat) 394518First Party

V/s.

Sh. Shalish Chakmabhai Patel,
At, Kadi Falia, Project Dt. Surat
Surat (Gujarat)Second Party

APPEARANCES:

First Party : (Absent)
Second Party : Shri. S.T. Chaudhry

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No.

L-30012/41/2001-IR (M) dated 7-11-2001 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

“Whether Salish Chakmabhai Patel is justified in demanding absorption and regularization by the management of ONGC Ltd., Hazira from the date of entry in to service? If so, what relief concerned workman is entitled?”

2. The second party was issued a notice to file the statement of claim by this Tribunal on 26-8-2003. The date to file the statement of claim was 17-9-2003. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 2 years from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The demand of Salish Chakmabhai Patel for absorption and regularization from the date of entry in to the service is hereby rejected for want of prosecution. No order as to cost.

Date: 28-10-2005 B.I. KAZI, Presiding Officer
Ahmedabad.

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2949.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बोम्बे मिनरलस लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक, अधिकरण अहमदाबाद के पंचाट (संदर्भ संख्या 1179/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2006 को प्राप्त हुआ था।

[सं. एल-29011/14/2001-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2949.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1179/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in

the Industrial Dispute between the employers in relation to the management of M/s. Bombay Minerals Ltd. and their workman, which was received by the Central Government on 11-7-2006.

[No. L-29011/14/2001-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT AHMEDABAD

PRESENT :

SHRI B. I. KAZI (B.SC., L.L.M.), Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 1179/04

Old (L.T.C.) No. 18/2001

M/s. Bombay Minerals Ltd.,
The Managing Director,
P.O. Bhatia Tal-Kalyanpur,
Dist. Jamnagar,
Jamnagar

.....First Party

V/s

The Secretary,
Tata Chemicals Skilled Mazdoor Sangh,
Post Box No. 19,
Mithapur Dist. Jamnagar 361345
Jamnagar

.....Second Party

APPEARANCE:

First Party : (Absent)

Second Party : (Absent)

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No. L-29011/14/2001-IR (M) dated 2-5-2002 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the action of the Management of Bombay Mineral Ltd., Bhatia is terminating/discontinuing the services of Sh. Jafarali Alibhai w.e.f. 11-1-1999 is legal and just and valid ? If not, to what benefit the workman is entitled for and what directions are necessary in the matter ?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 5-9-2001. The date to file the statement of claim was 23-10-2001. The appropriate

Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 4 years from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the Management of Bombay Mineral Ltd., Bhatia in terminating/discontinuing the services of Sh. Jafarali Alibhai w.e.f. 11-1-1999 is legal and just and valid. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date: 13-10-2005

B.I. KAZI, Presiding Officer

Ahmedabad

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2950.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर पोर्ट अथॉरिटी ऑफ इण्डिया के प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अहमदाबाद के पंचाट (संदर्भ संख्या 56/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2006 को प्राप्त हुआ था।

[सं. एल-11011/3/97-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2950.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 11-7-2006.

[No. L-11011/3/97-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT AHMEDABAD

PRESENT :

SHRI B. I. KAZI (B.SC., L.L.M.)

Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 56/04

Old (I.T.C.) No. 26/97

1. Airport Authority of India,
Ahmedabad Airport,
Ahmedabad
2. Prashant Engineering Corporation,
102, Virajkunj, Vallabhbhai Patel Road,
Virle Parle, West Mumbai.
3. Philips Engineering Services,
Plot No. 315, Sector No. 8,
Gandhinagar

.....First Party

V/s.

1. Gujarat Mazdoor Panchayat Shamshakti,
Opp. Mirzapur Telephone Exchange,
Mirzapur Road,
Ahmedabad
2. Airport Authority Kamdar Union,
C/o. Airport Authority of India,
N.A.A. Ahmedabad Airport,
Ahmedabad

.....Second Party

APPEARANCE

First Party : Shri C.S. Naidu, P.F. Zaveri

Second Party : Shri P. Chidambaram

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No. L-11011/3/97-IR dated 24-10-1997. The terms of reference is as under :

SCHEDULE

"Whether the demand of Gujarat Mazdoor Panchayat as contained in their demand notice dated 3-12-1996 (Annexure A) is justified? If so, to what relief the workmen are entitled?"

2. The Notice was issued to the second party to file the statement of claim. The second party has submitted the statement of claim by Ex-7. The brief facts are that 30 workers named in the Demand Notice dated 3-12-1996 are the workers employed in the Electrical Department of Ahmedabad Airport of Airport Authority of India (in short 'AAI'). They are working in the services of AAI, for the

benefit of AAI for many years. They are shown as the employees of first party No. 2 and No. 3. They are merely name lenders. The whole arrangement between the AAI and the so-called contractors are mere paper arrangements and it is sham and bogus. The work which they are doing is an integral part of the very business of the AAI. If the work done by the workers are not done the whole Airport will stop working. Economic control and employment of these workers is in the hands of AAI. AAI is the real employer and to exploit them they are shown in the books of contractors. They joined the Union and due to this they were not allowed to resume their duty and denied the wages from 30-11-1996. The Demand Notice was sent by the Union dated 3-12-1996, no settlement was arrived and hence after the Hon. High Court's order, the dispute was referred for adjudication. There are 3 demands as per annexure-A :

Demand No. 1

The demand is to declare the so-called Contract arrangement through which 30 workers named in the Demand are employed are sham and bogus and to declare 30 workmen as permanent workmen of AAI with effect from the day, the workers are working in Ahmedabad Airport. The dates from which workmen were working are shown in the demand No. 1.

Demand No. 2

The above workmen be paid wages and be extended all the service conditions of the permanent workmen of Airport Authority of India with effect from the joining date shown against their names.

Demand No. 3

The above workmen be paid full wages for the period they are forcibly idled treating them as they have work on those days.

3. During the conciliation, the AAI submitted that 30 concerned workmen are the employees of the contractors and they are not the employees of AAI. The Registration Certificate has not been produced by the AAI during the conciliation. AAI also not produced the license obtained by the contractors to employ the Contract Labour in AAI. AAI has no certificate and the so-called contractor has no license. Thus arrangement is sham and bogus and the concerned workmen are deemed workmen of the AAI. The Supreme Court held that where workers to produce goods or services and these goods or services are for the business of another that other is in fact the employer. These 30 workers were working in the Electrical Department of the AAI doing total maintenance of all the electrical appliances and electrical fittings in the Airport. They were operating the Diesel Generators.

Pumps etc. The total electric system of the Airport was banded by these workers. Thus Labour and Services rendered by these workers were the business of the AAI and hence these workers are the workmen of the AAI and their real employer is AAI. the business of AAI is to manage the Airport and to provide all the facilities for landing and to fly of the flights. If equipments are the fittest conditions, the whole signaling operations are through electrical equipments and machine. The total controlling of flights from the Airport is possible only when the electric supply and the continued maintenance of the system is done perfectly. Any lapse can result into serious accident. These 30 workers are the persons who were doing these jobs which are essential for the AAI. To function the jobs are also very much the integral part of very business of AAI. There are permanent Engineers and Persons to do the maintenance of the electric system. When AAI took over the management of Airport, the CPWD Workmen did not offer to join the AAI services and their positions instead of recruiting and appointing direct workmen the AAI has got vacancies filled through such bogus contractor arrangement. The majority of the workers are shown in the books of contractors. When CPWD was managing the electrical department, there were about 60 workers employed to do the jobs of electrical department. Thus regular permanent vacancies created in the electrical departments of the airport was filled by the so-called contractor labours. The posts are permanent and regular and the contract is for exploitation and to engage other corrupt practices. The work which they are doing are essential work for the business of the AAI and it is an integral part of the very business of the AAI. The materials and equipments are supplied by AAI and the work is for the benefit of AAI. AAI has the economic control over the workmen's subsistence and skill and continued employment. AAI supervise these workmen not only that the work done by the workers is perennial nature and is an essential work of AAI. AAI has not produced any Certificates of Registration and contractors have not produced any licenses during the conciliation. The workmen are paid the daily wage of Rs. 30 to Rs. 45 and no other benefits or allowances are given, no leave is given. Direct workmen have a definite with scale, DA, another allowances and many other allowances at their conditions. Though in similar situations, they are not paying 20% salary of the direct workmen. In Air India Statutory Corporation etc. V/s. United Labour Union and others held that in the absence of the license with the contract, workmen are deemed the workmen of the principle employer.

4. Though contractors were changed, the workmen have continued to work and the going contractor not paid

the terminal dues to the workers. They continue uninterrupted without any break in service. Thus the workers have never being the workers of contractor. They are real workers of AAI and the AAI has employed them.

5. Regarding Demand No. 2, the first party in conciliation has not disputed the joining date of any workmen and it is accepted by the party. Even under the contractors, the workmen of the contractor are entitled the same service conditions and wages as are extended and paid to similarly paid direct workers of the AAI. There are workers who are doing the same and-similar works in the direct rolls of AAI as these workmen. The principle of equal pay for equal work is applicable in this case also.

6. Regarding demand No. 3 workmen have been refused employment with effect from 1-12-1996. AAI has not stated the reason to not allow the workers for entry into the Airport and has shown ignorance about the un-employment of these workers from 1-12-1996. The reply is vague. Fresh recruits were placed and due to the Union activities by using repressive forces they were refuse the employment and AAI ended contract on 30-11-1996 and after that first party No. 3 is shown as contractor and fresh workers were employed in the places of these 30 workers to do the same work in the Airport. The work is same and it continues to exists. The posts are exists, no proper process of law was followed for termination, "No" notice or notice pay or compensation paid, they were forcibly evicted. Thus as per the I.D. Act provision, the workmen are entitled for the continuous employment and all the benefits as if they are working. The refusal to employ the workmen is lock-out. Thus it is unjust, malafide and illegal and the workmen are entitled to get full wages. If the wages are not paid by the contractors, then the principle employer are liable. As per the Gujarat High Court, if the workmen having work for long period, they should be provided employment even if there is a change in the Contractor. Thus it is prayed that to pass an award allowing 3 demands contained in the demand Notice dated 3-12-1996 and granting other relief with cost.

7. The second party have submitted an interim relief application and prayed as per Para 10 of that application. An affidavit of Mr. Milan Kumar Trivedi has been filed with the application.

8. The Notice was issued to the first party to file their reply. By Ex-24, the first party No. 1 Airport Authority of India has submitted a written statement. The brief facts are that the reference is improper, the concerned workmen are not workmen of party No. 1, the first party No. 1 has not employed them, there is no master and servant relationship, they are not workmen as per section 2(S) I.D. Act. The averments are false, concocted and are hereby denied.

It is not true that they are the workers of electrical department of AAI and they are working for long period. It is also not true that they are doing the work for first Party No. 1 and it is the work of first Party No. 1. It is also not true that first Party No. 2 & 3 are only name lenders and bogus and sham contractors and it is a paper arrangements. It is also not true that the works done by the concerned workmen is the integral part of F.P. No. 1. It is also not true the control and supervision of first party No. 1 as F.P. No. 1 are the real employer. It is not true that the concerned workmen joined the union to prevent exploitation and for security of job and due to this the services of concerned workmen were terminated from 1-12-1996 and it is a lock-out. There is no dispute regarding Demand Notice dated 3-12-1996. The workmen were never worked with first party No. 1. It is not true that there was no license with the contractors and no Registration Certificate with F.P. No. 1. It is not true that the concerned workmen are working in the electrical department for maintenance of electrical appliances and electrical fittings. It is not true that they were working to operate Generators and all the electric systems were maintained by these workers. It is also not true that the services rendered by the concerned workmen was the business of F.P. No. 1. It is also not true that the business of first party No. 1 is to maintain the airport for that purpose to maintain the electrical and fittings into improper conditions. It is also not true that the work was for the development of the business of the First Party No. 1. It is also not true that the tools were given by first Party No. 1 and they are under the control and supervision of F.P. No. 1. For the casual and temporary work of the F.P. No. 1 a contract has been given as per the procedure and lowest tenderer are given the contract and the agreement is being made with lowest bidder. Thus, to implement the Labour Laws is the responsibility of the contractor as per the agreement, the concerned workmen were the employees of the contractor, no appointment was given to the concerned workmen by the F.P. No. 1 and they were work continuously though contractors were changed. No direct recruitments were done. The recruitments are through Employment Exchange and the demand No. 2 is illegal and not tenable in law.

9. Regarding demand No. 3, the facts stated in Para A to J, are not true that the work to the concerned workmen are not given from 30-11-1996 and no notice or notice pay was given, it is not a responsibility of F.P. No. 1 because F.P. No. 1 has not employed the concerned workmen. It is stated that the contract has been given as per the conditions, the contractors has to employ the persons to implement the conditions of the contract. Thus they are not workmen of F.P. No. 1 there is no supervision and

control of F.P. No. 1 on the concerned workmen who are the employee of the contractor. Thus it is prayed that reference shall dismissed with cost.

10. By Ex-27, the First Party No. 3, M/s. Philips Engineering has submitted a Written Statement, the brief facts are the contents of the S.C. are not true and are denied by F.P. No. 3. Reference is not maintainable against F.P. No. 3 and the same reserves to be rejected. The Union has submitted demands on behalf of the workmen shown in the Notice dated 3-12-1996. The workmen shown in the demand notice they never employed at any time and they were no relationship of employer—workmen between F.P. No. 3 and the concerned workmen. AAI invited tenders for the work of operation and maintenance of contract of electrical installations of N.T.B. Ahmedabad Airport. In pursuance of the said tender, the contract was given to F.P. No. 3 which remain in operation for 12 months from 1-12-1996. The F.P. No. 3 had engaged their own workmen and the work was carried out. A licence was taken under the Contract Labour Act. Thus the present reference was not maintainable against F.P. No. 3 and F.P. No. 3 is not a necessary party and be deleted from the present reference and no relief as prayed for in the present reference can order against F.P. No. 3 and reference is to be dismissed with cost.

11. Prashant Engineering (F.P. No. 2) has not filed any written statement.

12. By Ex-15, the second party filed an application for production of documents. F.P. No. 1 has submitted their reply by Ex-15 and necessary orders for production was passed on 22-2-1999.

13. By Ex-28, the second party have produced the D.E. List. 28/1 is the duty list of the period from 8-7-1990 to 14-7-1990, 28/2 is the Duty List of the period from 24-2-1991, 28/3 is the PF. Slip of Shri Parmar for the year 1994-95. By Ex-35, the second party has submitted the D.E. list which is 35/1 to 35/43, it is a Duty List of various categories varies from 1-7-1990 to 15-5-1995 and by order it was taken on record and the opportunity was given to the Union to lead the evidence. By Ex-38, the Union has submitted that during the course of evidence of Shri Devan Omkar Kanaiyalal (Ex-31) the witness stated that who was the Junior Engineer at Ahmedabad Airport from 1990 to 1995 and demanded that the said records be produced by the first party.

14. The F.P. No. 1 has submitted documents, with Ex-9. The documents are :

- (1) License dated 6-1-1997 issued to Philips Engineering Services.
- (2) Special conditions of the work O.N.M. of electrical installations of N.T.B. from 1-12-1996 to 30-11-1997.

- (3) Letter dated 20-6-1997 of Desk Officer, Government of India, Ministry of Labour.
- (4) Agreement dated 27-12-1995 between AAI and Prashant Engineering.
- (5) Tender From of AAI
- (6) Letter dated 12-12-1995 of AAI to Prashant Engineering Corpn.

15. By Ex-20, the F.P. No. 3 has submitted D.E. List 20/1, the license dated 06-01-1997 of Philips Engineering Service for the period 2-12-1997 to 5-1-2000. By Ex-22, the F. P. No. 2 has submitted D. E. List which is Registration Certificate issued to AAI on 20-3-1996 and the name of Prashant has been shown as contractor from 1-12-1995 to 13-11-1996. By Ex-23, F. P. No. 1 has submitted D.E. List which is the Registration Certificate issued to the AAI for the period 1-12-1995 to 30-11-1996. By Ex-26, F. P. No. 1 has submitted D.E. List 26/1, Registration of Certificate issued to AAI dated 20-3-1996 and 26/2, is the license issued to Philips Engineering Services dated 6-1-1997 and 7-12-1998. By Ex-45, F. P. No. 1 has submitted D. E. List which are 45/1, to 45/6 which are in Ex-56 to Ex-61 respectively. By Ex-54, F. P. No. 1 has submitted B. E. List 54/1, is the Xerox copy of letter of Dy. G. M. Engineering to the Airport Director showing the persons appointed at Ahmedabad Airport dated 5-4-2005.

16. The second party has examined Naranbhai Mangabhai Parmar by Ex-25, Vaghela Amrutlal Jethalal by Ex-29. By Ex-30 the Second Party closed the oral evidence.

17. The First party has examined Diwan Omkar Kanaiyalal by Ex-31 and by Ex-55; the first party closed the oral evidence.

18. Heard Shri P. Chidambaram on behalf of the second party, and written argument has also submitted by him. The gist of the argument is that there are three demands as per notice dated 3-12-1996, it is referred for adjudication. 30 workmen who were working for F. P. No. 1 were placed on the roll of so-called contractors which is sham and bogus contract and to declare the concerned workmen are the workmen of AAI. The second demand is to pay wages, and to extend all the service conditions of the permanent workmen of AAI with effect from their joining dates to the concerned workmen and to pay full wages for the period they are forced to remain idle and treat them as if they are working all those days. Thus real employer of these workmen is AAI and not the contractors. Looking to the evidence Ex-25, 28 and 29, it is clear that there is no dispute regarding the dates of joining. Prashant

did not file W. S. and did not comply with the order below Ex-15 and though being a party No. 2 they did not appear before the Tribunal. The Registration Certificate of Philipson Corpn. & Delite Engineering are not produced. The Registration Certificate cannot be with retrospective effect as per the law, the Certificate has to be obtained before engaging contract labour. AAI has not produced any certificate to engage contract labour through "Prashant" from 14-10-1991. Thus the arrangements made by AAI w. e. f. 1990 is bogus and sham and without the evidence the arrangement of Philipson and Delite Engineering cannot be held genuine. There is no letter or communications written by "Prashant" to AAI or any workmen. No termination order was produced by "Prashant". The so-called agreement with "Prashant" produced vide Ex-10 is a concocted document. Thus these 30 workmen are the workmen of the AAI. No Notice was issued to the concerned workmen while transferring their names of the workmen. Philips is the contractor from 1-12-1996. No Registration Certificate was taken by AAI to engage contract labour through Philips. In the case of Hussainbhai, Calicut and Alath Factory Thozhilali Union and others 1978 II LLJ 397 S. C. the true test to discern the truth as to who is the real employer and who are the real workmen. In Para 2, Para 5 and 6 of the Judgments, the observations are made which are relevant to decide the present references. The work done by the workmen is the integral part of the business of the AAI. The electrical installations are necessary for the functioning of the Airport, 30 workmen operated and maintained these installations, and look to the job, the repair of water pumps, D. G. etc., AAI supplies the materials, the premises is of AAI and the satisfaction of work is done for AAI, overall control of the workmen is of AAI. Looking to the Judgement of Steel Authority of India Ltd. V/s. Gujarat Mazdoor Panchayat, in 2001 G. L. R. 729, it is clear that the arrangements between AAI and Prashant is mere paper arrangement and it is sham and bogus and 30 workmen are the workmen of AAI.

19. For Demand No. 2, it is submitted that AAI has not brought so-called contractor before the Tribunal to prove that their arrangements are real and genuine and the real employer is AAI. Thus the demand No. 2 is also justified. Regarding Demand No. 3 it is submitted that 30 workmen are idle with effect from 1-12-1996, they are not terminated/retrrenched, not dismissed from service, they are always willing and ready to work, they are not giving work w.e.f. 1-12-1996. Prashant has not complied order below Ex-15 hence the workmen are entitled for wages from 1-12-1996. No retrenchment compensation was paid, no notice pay is given. Looking to the above

circumstances, he prays the relief as per Demand No. 1 to 3. He relies on :

- (1) Vol. 23 IG. L. R. Page 581
- (2) 1985 (I) LLJ Page 263
- (3) Volume 38 (II) GLR Page 1534

20. I heard the Learned Advocate Shri Naidu on behalf of the F. P. No. 1. The F. P. No. 1 has also submitted their written argument, I have considered written argument. The main argument of F.P. No. 1 is that the concerned 30 workmen are not working with F. P. No. 1 but they are working with Contractors viz. Prashant Engineering. Thus as per Section 2 (S) they are not the workmen of F. P. No. 1. As per Section 2 (K) the workmen have no rights to raise I. D. Dispute and it is a personal dispute. It is also submitted that Contract Labour Act is a special legislation to deal with cases of Contract Labour and so the I.D. Act. cannot be invoked in the matter of Contract Labour. He has cited the Judgement of Vegoils Pvt. Ltd. 1971 (II) LLJ Page-567 S.C., the contract is genuine. He has submitted plethora of Judgments in his arguments which are mainly for the abolition of contract. He submitted that the Written Statement in Ex-24 and the reply of I.R. Application in Ex-13 to be considered the part of argument. The F.P. No. 1 has produced documents by Ex-10, 20, 22, 26, 28, 45 and 53 and oral evidences by Ex-31. The Contractor and AAI has complied the provision of Contract Act. Registration Certificate and License is produced. Contractor exercised direct control and supervision on Contract Labour. The reference is bad in law. No question of considering the concerned 30 workmen as permanent workmen of AAI. The said workmen admitted in S.C. that they are workmen of Contractors and they are not employed by AAI. Contract Labour Act overrides the provision of I.D. Act as per section 30. Under section 10 of Contract Labour Act, the appropriate Government has power to prohibit the employment of Contract Labour. It is to be referred to Contract Labour Advisory Board and after report of the Board, the Government issued a Notification to abolish of Contract Labour. The Contract Labour Act is a Special Act and as per decision of the Apex Court in Gujarat Electricity Board Thermal Power Station v/s. Hind Mazdoor Sabha and others 1995 (II) LLN Page-59 and Burmah Shell Oil Storage and Distributing Co. India Ltd. 1975 (LLC) 165-Philips Workers Union, Thane v/s. Maharashtra and others 1986 (II) (LLN) 124 and Thakedar Mazdoor Union v/s. Judge I. T. & Others 1994 (II) LLJ P-67 it was held that the authority to abolish genuine Labour Contract is only the appropriate Government. Not only that in BHAL Workmen Association 1985 (I) LLN-596 S. C. and Deenanath & others v/s. National Fertilizers Ltd. and others 1992 (I) (LLN) Page-53 S. C. the appropriate

Government get his right regarding Section 10 of the Contract Act. The Calcutta High Court in the case of Calcutta Metropolitan Development Authority v/s. A. K. Majumdar 2000 (II) LLN-P-1046 held that the authority had right to go under section 10 and court cannot directly to issue the direction for absorption. In the case of Food Corporation of India 1985 (II) LLN-P-4, the meaning of the word "Employed" was discussed. There shall be a relationship of master and servant in employment and the question regarding treating the contract employees as employee of Industrial Employees was discussed at page 9.

21. Looking to the fact, and looking to the Judgement of Seshasayee Paper and Paper Board Ltd. V/s. State of Tamil Nadu 1991 (I) LLJP-274 Madras, they are not employee of AAI. He has submitted in Written Argument, regarding Section 10 of I. D. Act. He has also cited a Judgement of Steel Authority of India Ltd. V/s. National Union Water-front Workers and others 2001 (I) LLR P-961. He also submitted a jurisdiction of the Hon. Tribunal would only arrive in accordance with third schedule. It is also submitted that jobs awarded to the Contract Labour are not continuous and it is not a sham and bogus but genuine contract. The concerned workmen employed by the Contractor "Prashant" as per the terms of contract and looking to the cross examination in Ex-25, 29, it proves that the workers have no documentary proof that they have employed by AAI and admitted that they worked with "Prashant". Thus when the Second Party is not speaking truth looking to the evidence of first party in Ex-31. It is clear that contract is genuine. Both AAI and Contractor has complied statutory regulations under contract Act. Works allotted to the F. P. No. 2 is not a permanent and perennial nature of work. The Contract is not sham and bogus and paper arrangement. In evidence of F. P. No. 1, it is clearly shown that the concerned workmen did not try of any job and they are not entitled for any back wages. Thus it is prayed that the second party is not entitled for any relief and the reference is deserves to the dismiss in toto. He has cited 12 Judgements list attached with the arguments.

22. A reply was given by the Representative of the second party. During the course of adjudication, the second party has submitted an application in Ex-59 and 61 on 1-2-2006. Out of the 30 concerned workmen, Shri Muljibhai M. Khandvi Sr. No. 30 of the Demand Notice has expired on 19-3-1999, the Death Certificate and necessary Affidavit of his widow Pramilaaben has submitted and the another employee under Sr. No 14 of Demand Notice, Shri Raju V. Purani has expired on 17-11-1997, the Death Certificate and Affidavit of his wife Sudhaben was also submitted. It is prayed that they shall be made part of the reference. Looking to this both of above applications were heard and applications were allowed on 1-3-2006.

23. Looking to the above facts and looking to the oral evidence and documents the following issues are to be decided for my consideration :

- (a) Whether the demand No. 1 of Gujarat Mazdoor Panchayat as contained in Demand Notice dated 3-12-1996 is justified; i.e., Demand No. 1 is to declare the so-called contract agreement through which 30 workmen are employed are sham and bogus and to declare those workmen as permanent workmen of AAI with effect from the day those they are working in Ahmedabad Airport.
- (b) Whether the said workmen be paid wages and be extended all service conditions of the permanent workmen of AAI with effect from the joining date shown against their names.
- (c) Whether the above concerned workmen be paid full wages they are forcibly idled treating they have worked on all those days.
- (d) What Order shall be passed regarding the deceased workmen Muljibhai M. Khandvi and Rajubhai V. Purani?
- (e) What Final Order?

My answer of the above issues are as under as per the following reasons :

- (a) The concerned workmen have declared to be permanent workmen of AAI from the day of award and Contract Arrangement of "Prashant" are to be declared as sham and bogus.
- (b) The service conditions of permanent workmen shall be extended to the workmen from the date of award and they shall be placed at minimum scale of the concerned category from the date of award and all benefits available of the permanent workmen shall be given to the concerned workmen.
- (c) Demand No. 3 regarding paying full wages of the period they are forcibly idled treating them that they are working all those days, is hereby rejected.
- (d) Widow of Shri Muljibhai Khandvi shall be paid a lump sum of Rs. 1.0 lac and widow of Shri Rajubhai V. Purani shall be paid a lump sum of Rs. 75000 within 60 days of the award.
- (e) As per the Final Order of the award.

REASON :

25. If we peruse of the documents produced by the F.P. No. 1 in Ex-21, it is clear that the contract was awarded to "Prashant" for the period 1-12-1995 to 30-11-1996 for operation of maintenance of electric installations in the

Terminal Building (NTB-ITB) operational area, COM/NAV installations and residential area and the Registration Certificate was issued to F.P. No. 1 on 23-9-1996 and F.P. No. 1 was applied for registration on 6-2-1996. The registration was not at the time of given the contract. If we peruse Ex. 26/2, it is a license dated 6-7-1997 and 7-12-1998 given to Philips Engineering Services. By Ex-29 license dated 6-1-1997 has been produced by Philips Engineering. The F.P. No. 1 has submitted a list of document with Ex-9. Those documents are license given to Philips Engineering Services and agreement before F.P. No. 1 and "Prashant" dated 12-12-1995, it is clearly shows that there was no relations in between "Prashant" and F.P. No. 1 before 12-12-1995 and the period of contract is for 1-12-1995 to 30-11-1996. The F.P. No. 1 has not disputed the date of employment in the Demand Notice of the concerned workmen and it is clearly established that they are working prior to the contract of "Prashant" and they are employed by F.P. No. 1. The application were taken by F.P. No. 1 from the concerned workmen.

26. The F.P. No. 1 has not submitted any documentary evidence that the concerned 30 workmen are not employed with AAI, but they are employed by Philipson, Delite Engineering. Documentary evidence of Duty List submitted by the second party as per Ex-35 clearly shows that they were the employees of F.P. No. 1 and not by any contractors. Thus employer and employee relation existed directly between the concerned 30 workmen and AAI and they are workmen of AAI as per section 2 (S) of I.D. Act. The submission of F.P. No. 1 of Section 2 (K) is hereby rejected and not only that the submission regarding Contract Labour and the decision cited by the First Party in the support of argument of Contract Labour have no relevancy in the present case as they are directly employed by the AAI. As per documents and evidence of 2nd party Ex-25, 29 and duty list. The F.P. No. 1 has failed to contradict the evidence of 2nd party hence clearly probes by the evidence that the 30 workmen at the initial stage were employed by the AAI and not by the so-called contractors i.e. Philipson, Delite and Prashant.

Not only that looking to the evidence, the 2nd party has clearly established that concerned 30 workmen were provided the material for doing the work, place and also provided equipments and tools etc. required to do the work were supplied by AAI. The work done by workmen is the integral part of the AAI and in the interest for benefit of AAI and AAI having economic control and supervising control and allocation of works by AAI and work done by workmen is essential work for the business of AAI. At the time of employment there was no Registration by AAI or license by contractor and these 30 workmen are workmen of AAI. It is clear that without this work, the function of AAI will be stopped.

27. The contract of "Prashant" was ended on 30-11-1996 and on 1-12-1996 the concerned workmen were terminated in the guise of termination of contract with "Prashant". This Tribunal has ordered under Ex-15 that "Prashant" should produce the license obtained under Contract Act for the period it has taken on the contract and shall produce the termination orders passed for these 30 workmen and in the absence make proper affidavit within one month of the order. Though Notice was served by the Tribunal and in the order of reference, the F.P. No. 1 at that time was "Prashant". It did not file any written statement and did not support contention of AAI that concerned 30 workmen are employed by "Prashant" and not by AAI. "Prashant" has not participated in the reference proceedings since inception. AAI has also not taken care to summon "Prashant" and to support his stand that these 30 workmen are not the workmen of AAI. Thus Tribunal has reason to believe that the so-called Contractor "Prashant" Engineering is nothing but sham and bogus arrangement also a paper arrangement. It is not genuine Contract as per the evidence. Thus the concerned 30 workmen from the date of inception of the work are the workmen of AAI and not of "Prashant". Looking to the Judgement of Apex Court, Hussainbhai, Calicut V/s. Alath Factory Thozhilali Union, Calicut 1971 (II) LLJ-397 it is clear that the concerned 30 workmen are the workmen of AAI and not "Prashant" as per the observation of Para 2, 5 & 6 of the Judgement. Not only that looking to the documentary evidence and oral evidence of the 2nd party, the 2nd party has submitted details of duty performed by the concerned 30 workmen. Thus looking to the test, that the work done by the 30 workmen are the integral part of AAI. The material and equipments and tools supplied by AAI, works done for AAI for the benefits of AAI. The work is of perennial and nature. They work for AAI and not for Contractor.

28. Now, looking to the Demand No. 1 the Union has demanded to declare the so-called contract agreement through which 30 workmen named in the Demand are sham and bogus. It is to declared that concerned 30 workmen are the permanent workmen of Airport Authority of India. However, it is a fact that concerned workmen were not given work by bew contractor i.e. F.P. No. 3, Philips Engineering on 1-12-1996. They are without jobs and without wages. Looking to the date of joining on 1-12-1996 their employment varies from 2 to 6 years. Thus it is not just and proper to declared these 30 workmen as permanent workmen of AAI w.e.f. the day from which they are worked with AAI, but they shall be made permanent from the date of award. Thus the concerned 30 workmen shall be treated as permanent workmen from the date of award in the services of AAI. F.P. No. 1 is hereby directed to reinstate remaining 28 workmen within 60 days from the receipt of order and they shall be given minimum time schedule of

the category in which they worked they are permanent workmen from the date of reinstatement i.e. from the date of award.

29. Regarding Demand No. 2 all 28 workmen shall be paid wages and be extend all service conditions of the permanent workmen of AAI from the date of award and they shall be put on Minimum scale of the category in which they, were working on 30-11-1996.

30. From 1-12-1996 they are without wages and they were not given employment and they are idled, but Demand No. 3 cannot be accepted as no work have taken from them. Not only that the F.P. No. 1 shall not be saddled with the burden of wages for idled period. Thus Demand No. 3 is hereby rejected.

31. During the course of adjudication the concerned workmen viz. Shri Muljibhai M. Khandvi at Sr. No. 30 and Shri Rajubhai V. Purani at Sr. No. 14, were expired.

Looking to the above observations, I hereby pass the following order :

ORDER

1. I declare that the so-called contract arrangement through which the 30 workmen are employed are sham and bogus and also declare that the concerned 30 workmen are permanent workmen of AAI with effect from the date of ward.
2. The said 30 workmen except Shri Muljibhai M. Khandvi at Sr. No. 30 and Shri Raju V. Purani at Sr. No. 14 be paid wages and be extended all service conditions of permanent workmen of the category they worked of AAI of and put them on minimum time scale of the category from the date of award.
3. The widow of Rajubhai Purani be paid a lumpsum compensation of Rs. 75000 and the widow of Shri Muljibhai Khandvi be paid a lumpsum compensation of Rs. 1.0 lac within 60 days from the receipt of this award.
4. The Demand regarding payment of full wages for forcibly idled period, treating them as they are worked all those days are hereby rejected.
5. The F.P. No. 3 is not liable as he has taken contract on 1-12-1996.
Thus F.P. No. 3 is absolved from all the liabilities regarding concerned 30 workmen.
6. F.P. No. 1 shall pay cost of Rs. 5000 to the workmen.
7. The order shall be implemented with in 60 days of the receipt of this award.

Date: 14-10-2006

Ahmedabad

B. I. KAZI, Presiding Officer

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2951.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट [संदर्भ संख्या आई.डी. 169/04 ओल्ड (आईटीसी) नं. 64/99] को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-07-2006 को प्राप्त हुआ था।

[सं. एल-30012/43/98-आईआर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2951.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award [Ref. No. I.D. 169/04 OLD (ITC) No. 64/99] of the Central Government Industrial Tribunal/Labour Court, Ahmedabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 12-7-2006.

[No. L-30012/43/98-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT OF
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
AHMEDABAD**

PRESENT : SHRI B. I. KAZI (B.Sc., L.L.M.)
Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 169/04

Old (I.T.C.) No. 64/1999

The Group General Manager (P), ... First Party
ONGC Ltd.,
Ahmedabad-380001

V/s.

The General Secretary, ... Second Party
Gujarat Petroleum Employees Union,
434/46 Gandhi Vas Roba Road,
Sabarmati, Ahmedabad

APPEARANCE:

First Party : Shri K. V. Gadhia,
Shri Mahendra K. Patel

Second Party : (Absent)

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No.

L-30012/43/98-IR(C-I) dated, 19-02-1999 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the demand of the Gujarat Petroleum Employees Union that Smt. Dhanlakshmi, W/o Late Sh. Vira Swamy, workman action ONGC Canteen, treated as regular of workman of ONGC ? If not, to what relief the concerned workman is entitled ?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 22-03-1999. The date to file the statement of claim was 29-04-99. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 7 years from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The demand of the Gujarat Petroleum Employees Union that Smt. Dhanlakshmi, W/o Late Sh. Vira Swamy, workman action ONGC Canteen, treated as regular of workman of ONGC is illegal, improper and unjust. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date: 22-03-96

Ahmedabad

B. I. KAZI, Presiding Officer

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2952.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 1354/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30012/17/2001-आईआर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2952.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1354/04

of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30012/17/2001-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT OF INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT AHMEDABAD

PRESENT :

SHRI B. I. KAZI (B.Sc., L.L.M.), Presiding Officer
Industrial Dispute (Reference C.G.L.T.A.) No. 1354/04.

Old (L.T.C.) No. 8/2001

1. The Group General Manager, (P)
ONGC Ltd., Hazira Project
P.O. Bhatpore,
Surat.
2. M/s. Iron Construction ... First Party
Rajmahal Road, Rhode's Kancha Corner
Baroda
V/s.
Sh. Bharatbhai Kanjibhai Patel, ... Second Party
Nanahira Street, Bhimpore Dist. Surat,
Surat. (Gujarat)

APPEARANCE :

- First Party : Shri Nilam B. Shah.
Second Party : Shri Subhash T. Chaudhari

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No. L-30012/17/2001-IR(M) dated, 22-03-2001 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the action of the Management of ONGC Ltd. through its contractor M/s. Airon Corp. in terminating the services of Sh. Bharatbhai Kanjibhai Patel Attendant/Operator (A/C Plant) w.e.f. 30-11-2000 is proper and justified? If not, to what relief the concerned workman is entitled?"

Whether the action of the demand of the workman Shri Bharatbhai Kanjibhai Patel in considering him as direct/regular employee of ONGC Ltd., w.e.f. the date of his entry in the services is legal, proper and justified? If so, to what relief the concerned workman is entitled to and from which date and what other directions are necessary in the matter?

2. The second party was issued a notice to file the statement of claim by this Tribunal on 23-07-01. The date to file the statement of claim was 27-08-2001. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 5 years and 5 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the Management of ONGC Ltd. through its contractor M/s. Airon Corp. in terminating the services of Sh. Bharatbhai Kanjibhai Patel Attendant/Operator (A/C Plant) w.e.f. 30-11-2000 is proper and just. The action of the demand of the workman Sh. Bharatbhai Kanjibhai Patel in considering him as direct/regular employee of ONGC Ltd., w.e.f. the date of his entry in the services is illegal, improper and unjust. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date: 07-03-06

Ahmedabad

B. I. KAZI, Presiding Officer

नई दिल्ली, 12 जुलाई, 2006

क्र.अ. 2953.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 534/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30011/63/2002-आईआर (विधि)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2953.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 534/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 11-7-2006

[No. L-30011/63/2002-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT OF
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AT AHMEDABAD****PRESENT : Shri B.I. Kazi (B.Sc., L.L.M.)**

Presiding Officer.

Industrial Dispute (Reference C.G.I.T.A.) No. 534/04.**Old (I.T.C.) No. 08/2003**The Executive Director,
ONGC WRBC, Makarpura Road,
Baroda (Gujarat)
Baroda-390 009

First Party

V/s.

The Secretary,
ONGC Labour Union,
8, Samarapan Shopping Complex,
High RD, Mehsana
Mehsana (Gujarat) 384 002

Second Party

APPEARANCE:

First Party : (Absent)

Second Party : Shri A. S. Kapoor

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No. L-30011/63/2002-IR(M) dated 10-02-2003 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the action of the management of the Executive Director, ONGC Ltd. Baroda in denying promotion to Shri S.C. Sharma to the post of Firing Inspector Gr. II Instead of Sr. Fireman Gr. II w.e.f. 01-01-2000 is legal and justified? If not, then to what relief the concerned employees is entitled to and from which date?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 10-04-03. The date to file the statement of claim was 23-04-2003. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 2 years 5 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the management of the Executive Director, O.N.G.C. Ltd., Baroda in denying promotion to Shri S.C. Sharma to the post of Firing Inspector Gr. II Instead of Sr. Fireman Gr. II w.e.f. 01-01-2000 is legal and just. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date : 12-10-05

Ahmedabad.

B.I. KAZI, Presiding Officer

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2954.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 879/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-17011/11/2001-आईआर (बी-II)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2954.—In pursuance of Section 17, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 879/04 of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of L.I.C. of India and their workman, which was received by the Central Government on 11-7-2006.

[No. L-17011/11/2001-IR(B-II)]

B. M. DAVID, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT OF
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AT AHMEDABAD****PRESENT : Shri B.I. Kazi (B.Sc., L.L.M.)**

Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 879/04**Old (I.T.C.) No. 06/2001**LIC of India,
The Sr. Division Manager,
LIC of India,
Bhavnagar Division, Kaveri Complex,
Navpura, Bhavnagar (Gujarat) 364 002

First Party

V/s.

The General Secretary,
Insurance Workers Organization,
C/o LIC of India,
Navpura, Bhavnagar (Gujarat) 364 002 ... Second Party

APPEARANCE :

First Party : Shri K.V. Gadhia,
Shri Mahendra Patel

Second Party : Shri Ajit S. Vora

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by Order No. L-17011/11/2001-IR(B-II) dated 10-08-2001 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the demand of Bhavnagar Division Insurance Workers Organization in demanding revocation of office order dated 17-07-1997 passed by the disciplinary authority in respect of Shri Rameshbhai Ramani, Assistant by which penalty of placement in a lower stage in the time scale by one stage and also a penalty of censure was awarded and further damages incurred to Shri Ramani should be compensated by the management of LIC of India is justified ? If so, what relief the concerned workman is entitled to ?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 20-12-01. The date to file the statement of claim was 28-02-2002. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 2 years 3 months from the date of reference. Thus this tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The demand of Bhavnagar Division Insurance Workers Organization in demanding revocation of office order dated 17-07-1997 passed by the disciplinary authority in respect of Shri Rameshbhai Ramani, Assistant by which penalty of placement in a lower stage in the time scale by one stage and also a penalty of censure was awarded is just. The concerned workman is not entitled to get any

relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date: 12-10-05

Ahmedabad.

B.I. KAZI, Presiding Officer.

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2955.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 339/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30011/49/2006-आईआर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2955.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 339/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30011/49/2006-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT OF
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT AHMEDABAD**

PRESENT : Shri B.I. Kazi (B.Sc., L.L.M.),
Presiding Officer.

Industrial Dispute (Reference C.G.I.T.A.) No. 339/04.

Old (I.T.C.) No. 102/2000

The Group General Manager, (P)
ONGC Ltd., Ahmedabad Project,
Chandkheda,
Ahmedabad (Gujarat)

....First Party

V/s.

M/s. Industrial Security Services,
Parichay Shopping Center Near, 'D' Cabin
IOC Rd., Post New Rly Colony,
Ahmedabad (Gujarat)

....Second Party

Appearance :

First Party : Shri P.F. Javeri

Second Party : (Absent)

AWARD

नई दिल्ली, 12 जुलाई, 2006

1. The Government of India has referred the Industrial Dispute between the above parties by order No. L-30011/49/2000-IR (M) dated 11-09-2000 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the demand of Gujarat Petroleum Union, Ahmedabad to declare that the arrangement though which Sh. Baldevbhai T. Rabari and Sh. Bharat Gadvi employed as Security Guard in ONGC, Ahmedabad project is Sham and Bogus and the concerned workmen who has been terminated from service w.e.f. 22-02-96 and 31-07-1996 respectively are entitled for re-instatement and absorption is legal and justified? If yes then to what relief the concerned workmen are entitled to and from which date?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 01-11-2000. The date to file the statement of claim was 23-11-2000. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 4 years and 7 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workmen failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The demand of Gujarat Petroleum Union, Ahmedabad to declare that the arrangement through which Sh. Baldevbhai T. Rabari and Sh. Bharat Gadvi employed as Security Guard in ONGC, Ahmedabad project is Sham and Bogus is not accepted and the concerned workmen who have been terminated from service w.e.f. 22-02-96 & 31-07-1996 respectively are not entitled for reinstatement and absorption. The concerned workmen are not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

Date : 17-04-2006

Ahmedabad.

B. I. KAZI, Presiding Officer

का.आ. 2956.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 337/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-7-2006 को प्राप्त हुआ था।

[सं. एल-30012/90/2000-आईआर (विविध-I)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2956.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 337/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 11-7-2006

[No. L-30012/90/2000-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT AHMEDABAD**

**PRESENT : SHRI B.I. KAZI (B.SC., LL.M.)
Presiding Officer**

Industrial Dispute (Reference C.G.I.T.A.) No. 337/04

Old (I.T.C.) No. 100/2000

The Group General Manager (P),
ONGC Ltd., Ahmedabad Project,
Chandkheda, Ahmedabad,
Ahmedabad (Gujarat)

... First Party

V/s.

1. M/s. Industrial Security Services,
Parichay Shopping Centre, Near
'D' Cabin IOC Rd.,
Post New Rly. Colony,
Ahmedabad (Gujarat) 380 001

... Second Party

2. General Secretary,
Gujarat Petroleum Emp. Union,
434/46, Gandhivas Naka Gujarat
Stadium Road, Sabarmati,
Ahmedabad.

... Second Party

APPEARANCE:

First Party : Shri P.F. Javeri

Second Party : Shri Amrishi Patel

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by order No. L-30012/90/2000-IR(M) dated 20-9-2000 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

"Whether the action of the ONGC Ltd., in terminating the services of Sh. Jayanti A. Waghela w.e.f. 1-2-99 through contractor M/s. Industrial Security Services, Ahmedabad is legal and justified? If not what relief the workman is entitled to? And whether the workman Sh. Jayanti A. Waghela was employed on prohibited category or not? If employed on prohibited category then whether the demand of the union for reinstatement w.e.f. 1-2-1999 by ONGC Ltd., Ahmedabad with full back wages, continuity of services and all benefits employee of ONGC is legal and justified? If not, what relief the workman is entitled?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 3-11-2000. The date to file the statement of claim was 23-11-2000. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 4 years & 7 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the ONGC Ltd., in terminating the services of Sh. Jayanti A. Waghela w.e.f. 1-2-99 through contractor M/s. Industrial Security Services, Ahmedabad is legal and just. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

B.I. KAZI, Presiding Officer

Date: 18-4-06

Ahmedabad.

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2957.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गैस अथोरिटी ऑफ इंडिया लि. के प्रबंधन के संबंध में नियोजकों और उनके

कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 1238/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30012/42/2003-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2957.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1238/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of GAIL Ltd. and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30012/42/2003-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT AHMEDABAD**

PRESENT :

Shri B.I. Kazi (B.Sc., L.L.M.), Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 1238/04

Old (I.T.C.) No. 29/2003

The General Manager : ... First Party
GAIL (India) Ltd., LPGD Despatch
Terminal, RPFT Area, Motikhavdi,
Jamnagar.

V/s.

Sh. Himanshu A. Gandhi, ... Second Party
C/o Majoor Mahajan Sangh Opp.
Engineer Officer.
K.V. Road, Jamnagar.

Appearance.

First Party : Shri Navnit G. Vaishnav

Second Party : (Absent)

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by order No. L-30012/42/2003-IR (M) dated 27-11-2000 to this Tribunal for adjudication, the terms of reference is as under:

SCHEDULE

"Whether the action of the Management of GAS Authority of India Ltd., in retrenching Shri Himanshu A. Gandhi w.e.f. July 2002 without following

provisions of I.D. Act., 1947 is justified and legal? If not, to what relief the concerned workman is entitled?"

2. The second party was issued a notice to file the statement of claim by this Tribunal on 17-02-2004. The date to file the statement of claim was 26-04-2004. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 2 years & 11 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the Management of GAS Authority of India Ltd., in retrenching Shri Himanshu A. Gandhi w.e.f. July 2002 is just and legal. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

B.I. KAZI, Presiding Officer

Date: 14-02-06
Ahmedabad.

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2958.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 1364/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30012/25/2001-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2958.—In pursuance of Section 17 of the Industrial Disputes, Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1364/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30012/25/2001-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT OF INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT AHMEDABAD

PRESENT :

Shri B.I. Kazi (B.Sc., L.L.M.), Presiding Officer

Industrial Dispute (Reference C.G.I.T.A.) No. 1364/04.

Old (I.T.C.) No. 18/2001.

1. The Group General Manager (P), ... First Party
ONGC Ltd., Hazira Project,
P.O. Bhatpore,
Surat
2. M/s. Sagar Construction,
301, Avenue Park, ...
City Light Society,
Opp. Agriculture Farm,
Surat, Surat-395 007

V/s.

Sh. Parsottambhai Kanjibhai Patel, ... Second Party
Bhatpore, Taluka Choryasi,
Dist.-Surat, Surat

Appearance:

First Party : Shri Nilam B. Shah

Second Party : Shri Anilkumar B. Nayak

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by order No. L-30012/25/2001-IR (M) dated 22-03-2001 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

1. "Whether the contract between the management of ONGC Ltd., Hazira Project, Surat & the Contractor M/s. Sagar Construction in respect of the contractual workman Sh. Parsottambhai Kanjibhai Patel is sham & bogus contract?"
2. "Whether the demand of the workman Sh. Parsottambhai Kanjibhai Patel for treating/ declaring him as direct & regular/permanent employee of ONGC Ltd., Hazira Project from either the date of his initial engagement with the Contractor or from the date of Notification issued by the Govt. of India Prohibiting his alleged employment/work through the contract system is legal, proper and justified? If so, to what relief Sh. Parsottambhai Kanjibhai Patel is entitled to and from which date and what other directions are necessary in the matter."

2. The second party was issued a notice to file the statement of claim by this Tribunal on 23-07-2001. The date to file the statement of claim was 27-08-2001. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of claim after 5 years & 4 months from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The contract between the Management of ONGC Ltd., Hazira Project, Surat & the Contractor M/s. Sagar Construction in respect of the contractual workman Sh. Parsottambhai Kanjibhai Patel is not sham & bogus contract. The concerned workman is not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

B.I. KAZI, Presiding Officer

Date : 27-04-06

Ahmedabad.

नई दिल्ली, 12 जुलाई, 2006

का.आ. 2959.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 399/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-07-2006 को प्राप्त हुआ था।

[सं. एल-30011/50/2001-आईआर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 12th July, 2006

S.O. 2959.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 399/04) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 11-7-2006.

[No. L-30011/50/2001-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT OF INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT AHMEDABAD

PRESENT :

SHRI B.I. KAZI (B.Sc., L.L.M.), Presiding Officer
Industrial Dispute (Reference C.G.I.T.A.) No. 399/04
Old (I.T.C.) No. 61/2001

The Group General Manager (P), ... First Party
ONGC Ltd.,
Bharuch (Gujarat) 393 010

V/s.

- a. M/s. Ahmedabad Electrical ... Second Party
Company,
C.C.P.C.P.F. Gandhar
Ankleshwar Project,
Ankleshwar, Dt. Bharuch,
Bharuch.
- b. The President,
All Gujarat State Kamdar Union,
Khadki Faliya, At Vav, Post
Kadodara, Taluka Vegra
Dt. Bharuch (Gujarat)

Appearance :

First Party : Shri P.S. Chari
Second Party : Shri Amrish Patel

AWARD

1. The Government of India has referred the Industrial Dispute between the above parties by order No. L-30011/50/2001-IR (M) dated 10-07-2001 to this Tribunal for adjudication the terms of reference is as under :

SCHEDULE

“Whether the action of the management of ONGC Ltd., Ankleshwar Project, Ankleshwar in not considering the demand of Shri Chimanbhai Lazmanbhai Parmar & 06 other workmen (as per list enclosed) for absorption and regularization is justified? If not, to what relief the concerned workmen are entitled?”

2. The second party was issued a notice to file the statement of claim by this Tribunal on 15-10-2001. The date to file the statement of claim was 11-09-2001. The appropriate Government has also directed the second party who has raised the dispute to file a statement of claim with relevant document and list of reliance and witness to the Tribunal within 15 days of the receipt of the order.

3. However, the proper opportunity was given by this Tribunal to file a statement of claim to the second party. The second party failed to submit a statement of

claim after 5 years from the date of reference. Thus this Tribunal has reason to believe that the second party is not interested in the dispute. Thus the concerned workman failed to prove this case.

Looking to the above observations I hereby pass the following order :

ORDER

The action of the Management of ONGC Ltd., Ankleshwar Project, Ankleshwar in not considering the demand of Shri Chimanbhai Lazmanbhai Parmar & 06 other workmen for absorption and regularization is unjust. The concerned workmen are not entitled to get any relief. The reference is hereby rejected for want of prosecution. No order as to cost.

B.I. KAZI, Presiding Officer

Date: 23-03-06

Ahmedabad.

नई दिल्ली, 14 जुलाई, 2006

का.आ. 2960.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अगस्त, 2006 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :-

1. कांचीपुरम नगरपालिका के नगरपालिक सीमा
2. एनतूर
3. कोनरिकुप्पम
4. सिरुकावेरिपाक्कम
5. ओरिककै
6. वेडल
7. सिरुवेडल
8. अट्टुपुतु
9. सिंगाडिवाक्कम
10. मेलम्बी
11. तिममसमुद्रम
12. किलम्बी
13. परनतूर
14. करै
15. अर्यम्बाक्कम
16. नसरतपूट

17. नेट्टेरी
18. अचूकट्टू
19. सलबोगम
20. पुतेरी
21. किकडीरपुर
22. मेलकदिरपुर
23. मंगलपाडी
24. एरिवाय
25. तेनम्बाक्कम
26. चिन्नयनकुप्पम
27. कोट्टैकावल
28. वेल्लिगपट्टाडै
29. सेविलमेट्टु
30. वेयावूर
31. नातम्पेट्टै
32. अरपनचेरी
33. मुतियालपे
34. अय्यनपेट्टै
35. वल्लूवपाक्कम
36. कलियनूर
37. ओलैयूर आदि कांचीपुरम क्षेत्र के राजस्व गांव

[सं. एस-38013/47/2006-एस.एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 14th July, 2006

S.O. 2960.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st August, 2006 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamilnadu namely :—

Centre Name	Areas comprising the Revenue villages of
1	2
Kancheepuram Areas	1. Municipal limits of Kancheepuram Municipality
	2. Enathur
	3. Konerikuppam
	4. Sirukaveripakkam
	5. Orikkai
	6. Vedal

1.

2

New Delhi, the 19th July, 2006

7. Siruvedal
8. Attuputhur
9. Singadivakkam
10. Melambi
11. Thinimasamudram
12. Kilanbi
13. Paranthur
14. Karai
15. Aryambakkam
16. Nasarathpet
17. Netteri
18. Achukattu
19. Salabogam
20. Putheri
21. Killadipur
22. Melkadipur
23. Mangalbadi
24. Erivoy
25. Thenambakkam
26. Chinnayankulam
27. Kottaikaval
28. Velingapattadai
29. Sevilmedu
30. Vaiyavoor
31. Nathampettai
32. Arapanacheri
33. Muthialpettai
34. Ayyanpettai
35. Valluvapakkam
36. Kaliyanur
37. Olaiyur

[No. S-38013/47/2006-S.S.I]

K.C. JAIN, Director

नई दिल्ली, 19 जुलाई, 2006

का.आ. 2961.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि करेंसी नोट प्रेस, नासिक रोड में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 25 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/2/2006-आईआर (पीएल)]

गुरजोत कौर, संयुक्त सचिव

S.O. 2961.—Whereas the Central Government is satisfied that the public interest required that the services in the Currency Note Press, Nashik Road which is covered by item 25 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purpose of the said Act for a period of six months.

[No. S-11017/2/2006-IR (PL)]

GURJOT KAUR, Jt. Secy.

नई दिल्ली, 19 जुलाई, 2006

का.आ. 2962.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि बैंक नोट मुद्रणालय, देवास (म. प्र.) में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 22 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/1/2006-आईआर (पीएल)]

गुरजोत कौर, संयुक्त सचिव

New Delhi, the 19th July, 2006

S.O. 2962.—Whereas the Central Government is satisfied that the public interest required that the services in the Bank Note Press, Dewas (M.P.) which is covered by item 22 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purpose of the said Act for a period of six months.

[No. S-11017/1/2006-IR (PL)]

GURJOT KAUR, Jt. Secy.